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Daniel Webster

WEBSTER

AND

HIS MASTER-PIECES.

BY

REV. B. F. TEFFT, D. D., LL. D.

AUTHOR OF "HUNGARY AND KOSSUTH."

IN TWO VOLUMES.

VOLUME I.

AUBURN AND BUFFALO:
MILLER, ORTON & MULLIGAN.
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PREFACE.

Soon after the death of Mr. Webster, the students of a literary institution, of which I then had charge, requested me to address them in reference to the occasion; and, with a partiality natural to young men toward those having the oversight of their education, they requested a copy of the address for publication.

Within a few weeks from the time of its publication, a proposal was made to me, by the most extensive inland publishers in this country, to write for them a life of Daniel Webster. The proposal was declined; but another proposition, to write a volume on the character of Mr. Webster, in the several departments of his intellectual life and labor, with specimens of his style in each department, was returned. These overtures led to quite a correspondence, and finally to the composition of the present work, which, the reader will perceive, is an enlargement of both propositions blended.

It would have been possible, perhaps, in the composition of the first volume, which narrates the life of the great statesman, to follow his career more minutely, step by step, and year by year, if not day by day, at least from the time when his career became connected with the history of his country; but this sort of biography, so common when books were scarce, and when amusement rather than instruction was the object sought after by the reader, meets not the temper of an age, which, active and busy to excess, has no time to waste on needless particulars, but hastens over tiresome details to seize upon the great facts involving and demonstrating character.

It is the character of Mr. Webster, rather than the trivialities of his experience, that now constitutes, and will ever constitute, the charm which attaches to his name; and for the proper illustration of that character, it is not necessary to set down everything that he has

ever said or done, nor everything that has happened to him, but only enough to exhibit clearly each trait as it rises successively to view. Indeed, a life at all approaching the nature of a diary could have been written by no one but himself, or by some individual, who, like another Boswell, should have been constantly about him; and such a production, had it been written, would have been a work by itself, but in no sense supplying the want of a biography. A good biography, in fact, instead of being made up of such particulars as fall under the daily notice of a valet, or body servant, or very familiar friend, should, by the laws of taste, exclude such trivial circumstances; and, just so far as a person banishes all common-place incidents from his mind, and rises to the level of those greater and more public acts, which are open to the view of all, does he qualify himself to write such a work as the Roman has left us of Agricola.

These two writers, in fact, Boswell and Tacitus, if names so unlike will admit of a temporary association, mark the two extremes in biographical composition. Boswell, a vain person, and anxious to get himself into his work as frequently as possible, relates every good-for-nothing event in the history of his hero, as if it were of any consequence to the world when the great man went to bed on any given night, and what he said before leaving the company of his friends, and what he saw after he had reached his apartment, and what clothes he took off in his retirement, and how he looked in his night-dress, and how he appeared on rising the next morning, and what was the color of the horse he rode the next day on his going to a place of no importance, and with people of no consequence, and all the nameless little particulars, which might have happened to ten thousand other persons, and persons of no special value, as well as to Dr. Johnson. Tacitus, on the other hand, though intimately acquainted with Agricola, and a member of his family, relates no familiar incidents, tells no anecdotes, reports no private conversations, exposes no personal secrets, and yet, in spite of this want of details, makes a biography, and a biography which is likely to hold its place in the admiration of the world, as long as there is a scholar capable of reading and interpreting his language.

Between these two extremes, there is a style of biographical composition, which, while it makes as much use of particular incidents as are essential to a true exposition of general character, is inclined to feel, in the life of a man long and intimately known, the excess

of this class of materials, rather than the want of them. To be able to compose this higher species of biography, it has been thought that the writer should by no means have been an intimate friend, or companion, or even cotemporary of the subject of it; as it has been supposed, that such intimacy fastens the little facts of a life in the writer's memory, to the exclusion or prejudice of those greater ones, which are alone of consequence to the more distant public, and to coming ages.

A cotemporary, or familiar friend, is exposed to other evils equally deleterious to a correct and just biography. The friend writes with the partiality of a friend; he sees, in the composition of every line, how it is likely to affect the family and associates of his subject; he sees and feels how each line and word is to affect himself in their good opinion; and he writes accordingly, evincing a restraint of censure, or an excess of eulogy. He has his and his subject's neighborhood, also, their particular latitude or longitude, to satisfy; and he is almost certain to be carried forward, or held back, by these delicate considerations. The cotemporary, though not a daily friend, is supposed to live under the same temporary and hence partial influences, to have his hopes or his fears in some way connected with the events he narrates, and thus to write under improper impulses. So fundamental, indeed, are these considerations, and so universal is their application, that the memoir of Agricola itself, the great classic model of one species of biographical history, while it is a piece of splendid composition, is undoubtedly a very flattering account of the Roman general's actual life; and were it now of more consequence to have a true narrative of that life, than to possess one of the finest extant specimens of Roman literature, and of Roman art, the world would demand another work.

With the full admission of the truth of all these acknowledged principles, and of their just application, it is possible, nevertheless, for a cotemporary to write at least an impartial biography. The writer may never have been a companion, or a friend, or in any way a part of his subject's social circle. He may not have been a citizen of his locality. In both these respects, he may have been as distant, as separate, as distinct from his subject, as if he had been born in another hemisphere, or had lived in another century. It is possible, too, that he may have been so distinct from all the associations, political or ecclesiastical, in which that subject moved and acted, as

to be capable of looking upon them with as much disinterestness as will be felt by a writer of a coming generation.

Nor would this position of the author, if admitted in its full force, necessarily exclude him from those sources of information, in relation to his subject, which are essential to his undertaking. He has all the sources, and more than all, that will be open to that future biographer, who, according to the standard canons just stated, will alone be capable of writing a reliable biography. It is possible, indeed, perhaps probable, that more personal incidents, more of minute details, more epistles, more table-talk, more particulars of every sort, may be imparted to the public before the appearance of that coming biographer; but it is also possible, and in fact quite true, as any one making an attempt to write the life of such a man as Webster would quickly find, that there is likely to be already such an amount of personal details as to embarrass rather than facilitate a writer's hand. It cannot be improbable, indeed, that Mr. Webster may have left many unpublished letters, and similar documents connected with his career; but, should these documents be so ample as to fill many volumes, as it is supposable they may, they cannot be regarded as at all essential to the exposition of a life so thoroughly open to investigation, and so accurately prefigured, in his works.

The published writings of Mr. Webster, indeed, constitute, as they will ever constitute, the main reliance of all who shall undertake to write the narrative of his life. Next to these, the history of his country, during the period when he lived, will be the second most complete and authentic resource; for such was his position, such the magnitude of his individual acts, that there is scarcely an event in his history, after he became a public man, and scarcely a speech in the entire collection of his speeches, which is not directly connected with some important event, and generally some epoch, in the history of the nation of which he formed a part. The third and last source of information is found in what his friends and his enemies have written in relation to him; and, though the lowest testimony respecting him, it is so abundant, that, were it sufficiently reliable, his life might be written, from beginning to end, without going beyond it. When it is considered, indeed, that his published works, wherein his whole career lies embodied, nearly fill six heavy octavo volumes; that the history of his time is spread out in a thousand different forms; that everything he ever did, or ever

said, possessed of any consequence, has been successively presented, recalled, repeated, discussed, by every grade of intellect, in every possible shape, and with every conceivable kind and degree of censure and of praise, in books, in periodicals, and in newspapers; that his name and character have been through life constantly before the world, daily and hourly, from one end of our country to the other, and in other countries, as subjects of investigation; that, for forty years, there was not a day when that name, and something in relation to that character, were not to be found in any political or secular sheet, which any man might happen to take up at home or abroad, in any city of the Union, in any town or village or hamlet of the country, it may well be doubted whether anything that Mr. Webster may have left not now published, or anything he could have written, would add anything now or hereafter to the wonderfully and almost oppressively ample stock of information which the world has long since had respecting him. All that a biographer can now do, in fact, in tracing out the actual history of his life, is to select from this abundant store as much as is positively essential to his purpose, and the best material for that purpose, making no farther use of the remainder than, by reading and appreciating it, to prepare himself to understand and properly employ what is to enter more directly into his composition.

In regard to the second volume of this work, it is, perhaps, sufficient to say, that it has been my intention to give only the acknowledged master-piece of Mr. Webster in each of the several fields occupied or entered by his almost universal genius. As the age is too much employed to dwell upon every minor incident in even a great man's life, so it is too busy to admit of paying equal attention to everything he has produced. The world is now so full of reading, and the topics of investigation are so greatly multiplied, that the best rule a man can now lay down for the government of his studies is, not to read whatever comes to hand, nor all that even great men have written, which would be impossible, but chiefly the master efforts of the master minds of the most enlightened and illustrious countries and ages of the world. In this way, whatever be the associations he is compelled to hold in his daily life, which, in general, have to be rather common-place at best, he may maintain a very close conversation, not only with the first spirits of every period and of all places, but with these in their happiest moments and in the highest inspiration and soaring of their minds. This is the

use that the rising generation, and all future generations, will wish to make of Webster. One after another, his secondary efforts will be dropped from the general regard, and consigned to those few, lawyers and civilians, who will study his productions with their professional ends in view, while his most able and brilliant performances, which, like the books of the Sybil, will maintain the undiminished value of his works, though their number may be less, are to endure the wreck of ages and the touch of time.

Clifton Springs, *August*, 1854.

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WEBSTER AND HIS MASTER-PIECES.

CHAPTER I.

INTRODUCTORY REMARKS.

When, after the 24th day of October, 1852, it was announced from Marshfield, that Daniel Webster was no more, as soon as men had time to begin to realize the nation's loss, his own words, which he had used in reference to the deaths of Adams and of Jefferson, seemed to spring spontaneously to the lips of every individual, who had made himself familiar with his works: "A superior and commanding human intellect, a truly great man, when heaven vouchsafes so rare a gift, is not a temporary flame, burning brightly for a while, and then giving place to returning darkness. It is rather a spark of fervent heat, as well as radiant light, with power to enkindle the common mass of human mind; so that when it glimmers in its own decay, and finally goes out in death, no night follows, but it leaves the world all light, all on fire, from the potent contact of its own spirit."

This language was immediately applied to the man who had first uttered it. It was extensively copied into the public prints. Every American felt, that nothing short of the strongest expressions could do justice to the universal sentiment. That sentiment was higher than it has ever been, in this country, since the death of Washington. It was as high, probably much nigher, than it was in England on the decease of Wellington.

Napoleon, when he died, was not more mourned by his friends in France, than was Webster in America. Napoleon was mourned by one party, the strongest, it is true, but blamed, hated, though too great to be despised, by every other. Webster was so universally mourned, by the whole American people, that the very few citizens, who had the folly to become exceptions, could scarcely be regarded as constituting an exception. They were lost, and buried, and overwhelmed amidst the general burst of feeling, which the whole nation poured out over the grave of its fallen statesman.

There have been but few men, since the beginning of history, whose characteristics were so prominent, whose greatness was so emphatic, that they left but one opinion of their merits. Aristides was starved to death by his own countrymen. Anaxagoras was driven from the land of his birth by those who had listened to his lofty teachings. Themistocles was banished after he had saved the liberties of his native country. Miltiades was forced into exile after he had covered his country with the brightest rays of its military glory. Phocion and Socrates, the incorruptible politician and the almost inspired philosopher, were compelled to drink the fatal hemlock, after they had furnished their fellow citizens with the brightest examples of patriotism and of purity of character ever witnessed by them. None of these men, great as they certainly were, were great enough, it would seem—not to escape slander; for this is common to all mortals—but to rise above it, to beat it down, to conquer it, and to impress upon the world a true, single, unmistakable image of their characters.

Such was not the fate of Daniel Webster. When he departed, not only his own nation, but all the civilized nations surrounding it, on both sides of the Atlantic, as well as more distant countries, and the islands of the seas, uttered substantially one voice, gave vent to one emotion, united in one opinion. That voice, that emotion, that opinion was, that the great-

ness of Webster had left nothing equal to it among the living, and could not be expected to be followed by any greatness superior to it in many a generation.

What a spectacle, indeed, this vast country presented to the world immediately upon, and for weeks and months after, the lamented 24th of October! A statesman had died; and all the statesmen of the republic, including its chief magistrate, and the heads of departments, and both houses of congress, and all the state legislatures, as soon as they assembled, and the most distinguished of our retired patriots, hastened to pay their profoundest respects to the illustrious dead, and freely acknowledge him to have been superior to any of their number. An American lawyer had died; and, with the same consent, all the courts in the country, then in session, or immediately upon their being opened, passed resolutions of honor to his memory; and the first jurists of the nation, with the most able and noted advocates, as well as every class and individual connected with our tribunals, seemed to be in haste to free their breasts and tell the world, that they had lost a man whose equal had not been known among them. An orator and writer had gone; and all the orators of the land, and the writers of greatest talent, and highest genius, and proudest reputation, appeared to have a burden upon their hearts, till they had proclaimed him, from Maine to California, the sublimest speaker and the ablest writer of his country. A patriot had departed, whose birth had occurred amidst the scenes of the American Revolution, whose ancestors had fought in the battles of that mighty period, whose political career had covered nearly two-thirds of the history of the government, and whose personal services had been all devoted to the establishment of the constitution and the perpetuation of our liberties; and, upon the first announcement of the nation's loss, the most patriotic of our citizens, in every state and territory, from ocean to ocean, hastened together in solemn assemblies to declare to each other, and to all countries, that they

mourned the departure of their most fearless, unselfish, and useful fellow citizen. That citizen had been, through life, so much from his family abode, and so constantly employed in public business, as to have left doubtful his relations to the christian church, though his views of christianity itself had been frequently expressed; but, on his burial day, when his family and friends, when his immediate neighbors who knew him best, with the devout pastor of the parish at their head, while shedding their tears upon his grave, told how he had loved and read the bible, how he had reverenced the character of God, how he had led for years the devotions of the domestic circle, with what patience and submission he had borne the distresses of the sick bed, with what emphatic terms he had given his last testimony to the truth of the christian religion, and with what fervor and earnestness he had committed his spirit, in the closing hour, to the care and protection of his Maker and Redeemer, a new phase of the great man's character came to light, a new chord was touched in the general heart. The pulpits of more than fifty denominations, of every christian body with scarcely an exception, united with the acclamations of a whole people, in pronouncing the national eulogy upon him, who, for nearly half a century, had been acknowledged as the first and foremost of the nation.

Such a vast amount of panegyric, so general and universal an expression of respect, of mourning, and of eulogy, would be more than enough to establish the immortality of any individual. There is now no other American, there is now no Englishman, there is no European, who could not afford to exchange all he hopes, and all he is likely to obtain, of posthumous fame, for what has been said, and written, and published of the fallen statesman, since the day of his decease. Could all the well-earned praise that has been heaped upon him, for almost half a century, be blotted out and forgotten, what has been said within a few months would be an equivalent for all

the praise ever bestowed upon any two of our presidents, excepting Washington, or upon any five of the most distinguished of those of his American cotemporaries that survive him; and yet, it is certainly to be doubted whether all that has been uttered, privately and publicly, in congress, in the courts, from the pulpits, and among the people, has added anything to the stock of his reputation.

Under such circumstances, it is idle any longer to pronounce eulogiums upon Daniel Webster. The time for them has passed. Something more to the purpose, more valuable, more lastingly useful, must now take their place. When it is considered, that the man, who rose to all this importance, to all this fame, to this world-wide influence, sprang from a humble origin, and grew up to what he was without the aid of extraordinary advantages, with scarcely one advantage which he did not make for himself, his life and character become at once a most interesting and instructive study. To know such a man thoroughly is like knowing a great science. His career, in fact, taken in all its bearings and relations, in its beginning, its gradual development, its proud triumphs, its glorious termination, is a science. It is the chief of all the sciences. It is the science of human life. It is the science of life as exhibited on a large scale, in a most interesting period of history, on a new theater of action, influenced by a new order of civilization, by new laws, new associations, and novel circumstances. To understand this science well, as set forth in the great example now before us, is to understand the history and present condition of our country, to understand the important questions now involved in every consideration of its future, to understand the relations existing between this country and other countries, and to comprehend the age in which the great man lived, as in his life the age was itself comprehended.

CHAPTER II.

THE WEBSTER FAMILY.

Daniel Webster, the youngest son of Ebenezer and Abigail Webster, was born at Salisbury, New Hampshire, on the 18th of January, 1782, the last year of the Revolutionary War. He died at Marshfield, in the state of Massachusetts, on the 24th of October, 1852, at the advanced age of more than seventy years. To speak exactly, he was seventy years, nine months, and six days old, the day he died. He was born in obscurity, on the north-eastern frontier of the United States, on the verge of civilization in that direction, his father living in the last occupied house next to the Canadian line. He died as Secretary of State of the United States, the most known, the most celebrated, the most powerful and influential citizen of his country.

The family of the Websters, which had settled in Kingston, Rockingham county, New Hampshire, at the beginning of the eighteenth century, seems to have been highly respectable. Strength of mind, and decision of character, appear to have been the most notable of its characteristic traits. Another feature was its desire to establish and perpetuate itself. Without any of the aristocracy of family, as exhibited in monarchical countries, it looked well to its own existence, and wished to hand down, from one generation to another, a reputation that should honor the past and give promise of the future. As a specimen of this feeling, it is a curious fact, that the eldest brother of Daniel, his father, grandfather and great-grand-

father, who were all eldest sons, were named Ebenezer. Not only this cherished name, but the history of the whole family, in all its branches, evinces, also, its third strongest peculiarity, a decided inclination to religion. Perhaps no family in the country, not excepting any of New England, can show in its records a larger list of names, in proportion to the whole number, taken from the Scriptures.

Another marked peculiarity of the Webster family was its love of knowledge. They were strikingly intellectual. It is related of Daniel Webster's father, who was apprenticed to a trade at an early age, that, though he never went to school a day in his life, he made himself a good reader while quite a youth, and afterwards became a man noted for the extent, depth and accuracy of his information. While a boy, he studied late of nights, by the blaze of pitch-pine knots, when his master and the family were asleep. Those who remember him in mature age say, that he was then the best reader, the best elocutionist, and the most thoroughly informed man, of the place where he lived. The books he read most, and which he most admired, were the plays of Shakspeare and the bible; and his taste, in this respect, seems to have followed him to the most distinguished of his children.

Patriotism was another mark of the Webster family. All through the earliest periods of the history of New England, it furnished soldiers, but more commonly officers, to the companies raised for the defence of the inhabitants. In 1757, the French and Indian war was raging with uncommon violence. The enemy seemed to be advancing regularly and successfully with the plan of destroying the American colonies. An emergency at length arose. A new enlistment was ordered for the protection of the north-eastern frontier against the savages. It was at this time, and for this purpose, that that celebrated corps, known in history as Roger's Rangers, was commissioned. All its members were to be picked men, selected from the lead

ing families, and known to be hardy, able-bodied, and courageous. By the side of Stark, and Putnam, and several others, who afterwards became heroes in the revolution, the father of Daniel Webster, then but eighteen years of age, was enrolled to fight the battles of his country. Some of those battles are reputed as among the most brilliant ever fought even on the blood-stained soil of New England. The services required of this band of men were exceedingly difficult and dangerous. They were to do their work in winter. They were to be doubly armed, to be prepared for all the rigors of the season, to carry with them snow-shoes that they might be able to march through the trackless forests, ascend and descend the snow-clad mountains, and pursue the enemy without regard to the changes or chances of the weather. They were also to carry skates, to enable them to cross the frozen streams and lakes, or to meet the savage foe upon the ice. Into this company, for this business, and with these horrors in the prospect, Ebenezer Webster, the eldest son, was permitted to enlist. The love of country was stronger than the love of family. The son went and performed his duty. The exploits of his company, when told by the few that lived to see their own firesides again, appeared like fiction; and from that day, the survivors were marked men, the heroes of their neighborhoods, set down in public opinion as equal to any demand that could be made upon them.

A demand afterwards arose. At the age of thirty-six, under the command of Stark, he was commissioned as a captain, and joined the army of the revolution. General Burgoyne had entered the territory of New York. He had taken Ticonderoga, and was advancing, by rapid marches, across the state. His object seemed to be to penetrate New England and reach the seaboard. General Stark marched out to meet him. On his way, he fought the battle of Bennington, in which Captain Webster took a leading part. Subsequently, at the battle of White Plains, Webster was again among the heroes of the

day; and, at a still later period, he had the satisfaction of witnessing, as a soldier, the surrender of the British general on the plains of Saratoga.

In other countries, to be descended from the most ancient family is accounted the greatest honor. In this, we have no prejudices of such a nature; but if we had, it would be honor enough for any young man to be the son of a revolutionary soldier. This honor Daniel Webster had; and this, except that patent to nobility which nature stamped upon his mind, was his only fortune. His father, it is true, before the close of the revolutionary war, had purchased a large tract of land north of Concord, in New Hampshire; but the land was wild, the growth of the primeval forest still standing dense upon it. With his own hands, principally, the soldier cleared a few acres and erected a log cabin for his family. In this humble spot, far enough from the refinements of life, such as they were in this country at that period, several of Daniel Webster's brothers and sisters were born; but, upon his birth, his father had so improved in his circumstances, as to have built a small framed addition to the original structure. In this new part, Daniel first saw the light; and nearly sixty years afterwards, he referred to the event in a characteristic manner. In a speech delivered at Saratoga, in the month of August, 1840, he was advocating the election of General Harrison, who was sneeringly styled the "log cabin candidate;" and Mr. Webster took occasion, in a very beautiful and artful manner, to make capital out of the epithet for his client, by a reference which he knew would cast no dishonor upon himself: "It is only shallow-minded pretenders," said the orator, "who either make distinguished origin matter of personal merit, or obscure origin matter of personal reproach. Taunt and scoffing at the humble condition of early life, affect nobody in this country but those who are foolish enough to indulge in them; and they are generally sufficiently punished by public rebuke. A man,

who is not ashamed of himself, need not be ashamed of his early condition. It did not happen to me to be born in a log cabin, but my elder brothers and sisters were born in a log cabin, raised amid the snow-drifts of New Hampshire, at a period so early, as that when the smoke first rose from its rude chimney, and curled over the frozen hills, there was no similar evidence of a white man's habitation between it and the settlements on the rivers of Canada. Its remains still exist. I make to it an annual visit. I carry my children to it, to teach them the hardships endured by the generations which have gone before them. I love to dwell on the tender recollections, the kindred ties, the early affections, and the touching narrations and incidents, which mingle with all I know of this primitive family abode. I weep to think that none of those who inhabited it are now among the living; and if ever I am ashamed of it, or if I ever fail in affectionate veneration for *him* who raised it and defended it against savage violence and destruction, cherished all the domestic virtues beneath its roof, and through the fire and blood of a seven years' revolutionary war shrunk from no danger, no toil, no sacrifice to serve his country, and to raise his children to a condition better than his own, may my name, and the name of my posterity, be blotted forever from the memory of mankind!"

The emphatic part of this quotation, however, is the reference made to the father of the speaker. From every account, and most of all, from every allusion made to him by his distinguished son, it is certain that he must have been a man of uncommon mold. His success, both in business and in his social standing, was decided. He became independent, if not wealthy; he was frequently elected to represent his township in the state legislature; and in advanced life he was appointed a judge of the court of common pleas, the duties of which he is said to have discharged, to the close of his career, with integrity and honor.

Such was the life of Ebenezer Webster. His character has been drawn by a master's hand: "He had in him," says Daniel Webster, in a letter, "what I recollect to have been the character of some of the old Puritans. He was deeply religious, but not sour—on the contrary, good-humored, facetious —showing even in his age, with a contagious laugh, teeth all white as alabaster—gentle, soft, playful—and yet having a heart in him that he seemed to have borrowed from a lion. He would frown—a frown it was; but cheerfulness, good-humor and smiles composed his most usual aspect." Did ever a father receive such a eulogy from such a son!

The house in which Daniel Webster was born does not now stand. There is no part of it left, excepting the cellar, which is a ruin, and, if preserved, will be a shrine. It lies on what is called the North Road, on the side of a hill which comes down to the bank of the Merrimack. Near this cellar stands a solitary tree, an apple-tree, which, though dead in its trunk, has sprouted from the roots below. It should be allowed to revive and mark the spot to be held in reverence by a whole people as long as it can be certainly defined.

Still farther from the site of the old homestead is the family well, dug by Daniel Webster's father, who planted near it, about the year 1768, a young elm, which has now grown to be so large as to cover with its branches a circle of a hundred feet in diameter. It is to this well, in particular, that Mr. Webster has made his annual pilgrimages for the last thirty years. It is there, under the shadow of that broad tree, that he has been accustomed to recline, in the soft weather of every summer, and think of his father and mother, of his brothers and sisters, of all the scenes of the family in that early day, and thus rejuvenate his heart, and keep it tender and delicate, in spite of all the influences of his laborious public life. That well, and that tree, should be guarded safely, that they may remain to refresh the pilgrims who are yet to visit the birth-place of the greatest

of Americans, from every part of our own country, and from other lands.

Of the brothers and sisters of the great statesman, little is now known. They were persons, generally, of strong minds, sound sense, and sterling worth. As a family, like their ancestors, they were notable for their religious sentiment, for the moderation of their views and feelings, and for their attachment to private life. Ezekiel, the brother next older than Daniel, became a lawyer of almost equal eminence, and was thought by many to have possessed a mind of equal strength. The mutual affection of these two brothers was remarkable. The younger was the first to obtain an education; but he could not rest, and did not rest, till he had helped the elder through his course of study. Ezekiel died at the age of forty-nine, in the act of making a plea before a court at Concord; and from that day till the hour of his own death, Daniel Webster was never known to mention his brother's name, or hear it mentioned, without shedding tears, or showing in his tremulous lips the depth of his emotions.

CHAPTER III.

THE YOUTH OF WEBSTER.

Daniel Webster, both in infancy, and in his early boyhood, was feeble in health and of a slender constitution. Being, also, the youngest son of his mother, he could hardly be other than the mother's pet; but that mother, a woman of most extraordinary mind and character, knew how to foster and not spoil the child.

As her darling boy could not bear his part with the other children, either in their home frolics, or in their attendance upon the distant school, she kept him very much in her own presence, where she taught him the alphabet at an age so early, that he could never recollect the time when he could not read. She instructed him, also, by conversation. She would ask him questions, on matters of some consequence, not so much to hear what he would say, as that he might learn to think. She would walk with him, at early morning, and show him the growing grass, the swelling bud, and the bursting and full-blown flowers; she would take him again at nightfall, as the stars began to shine, and point them out to him as they successively appeared; she would lead him to the fields, and along the banks of the river, and up the rugged hills of the neighborhood, to give him a growing idea of the greatness of the external world. During all these rambles, she would teach him things as they are, rather than confine him to the mere pictures of things, rude and imperfect, as they appear in books. It is a remark of Burke, that, "in an inquiry, it is almost everything to be once

in the right way;" and it applies to the education of children with great force. The mother of Daniel Webster, though she had never heard of the English statesman, seemed to know the value of his maxim; and she began the mental development of her son, as if she had been a philosopher, rather than a farmer's wife. To such mothers America has been indebted, and will be indebted, for her greatest and her best.

The first reading-book of Daniel Webster, which was given him by his mother, was the bible. He had scarcely learned the names of the letters of the alphabet, before he surprised her by reading aloud to her several verses; and from that hour, she prophesied his future eminence, and doubled her exertions in giving him instructions and opening his mind. Sitting upon the hearthstone, or following her in her movements about the house, he would spend hours in reading those beautiful lessons for children so numerous in the sacred volume. He was particularly delighted, at that time, with the books of Samuel and of Kings. All parts of the Old Testament then pleased him better than any of the New. The stories of Joseph, of Goliah, of Samson, of David and Jonathan, of Solomon; the wars of Canaan, of the later Jews, of the great empires of the early times; and all those episodes of universal history, so entertaining in themselves, and so beautifully told, captivated his young mind. In a very short time, he became a most excellent reader, his voice having then something of the depth, strength and flexibility of after years; and it is related, that, when his father had opened his dwelling as a place of refreshment to travelers, custom was drawn to the house by the privilege afforded the guests of hearing the child read.

When older, Daniel became unwilling to exhibit himself in this manner; but, when not at school, he used to take the book, which he happened to be reading at the time, and go into the forest, or down the river, or into some lonely glen, and read for many hours together. There was a sawmill not far from

the house, which belonged to his father, in which he was put to work while yet a mere boy; but such a boy would soon learn to do any task, where mere skill is requisite, which could be intrusted to a man. There, after he had set the log and started the saw, he would sit and pore over his book, never forgetting, however, to attend to every demand of his labor at the proper time. In these ways, before he was twelve years old, he had read extensively in history, in travels, and in the English classics; and such was the grasp of his mind, and the tenacity of his memory, that he understood and remembered nearly every thing he perused.

About this time, the boy chanced to be sent to a neighboring store. He there found a curiosity, or what was a curiosity to him. It was a pocket-handkerchief, covered all over with something printed in good, fair type. All the money he had in the world was a quarter of a dollar; and that was exactly the price of this rare specimen of a book. Of course, the bookish boy bought the curious thing and took it home. That evening, and till very late, he sat by the large fire-place, in the presence of his father and mother, perusing, re-perusing, studying, committing to memory, the remarkable production thus obtained. What philosopher will reveal the impressions, the influences, the results of that memorable night? What artist will picture the event? It was Daniel Webster reading, for the first time, a copy of the constitution of his country!

At this period of his life, the future statesman could not bear an insult, or any thing like a personal opposition, any better than when, in after years, he made a senate and a party tremble at his frown. The story of his cock-fight is sufficient proof. One of his father's neighbors had a cock noted for his prowess. Among the feathery tribes he was the acknowledged monarch, and used to roam, with impunity, beyond the legitimate limits of his kingdom. More than once, at the head of his troop, he appeared on the territory belonging to a favorite fowl owned

by Daniel. Hostile encounters frequently occurred between the barn-yard rivals, in which Daniel's pet was nearly always worsted. The boy, who was but the ungrown man, took the defeats of his champion as his own; but he could not help himself, or turn the victory in his favor with a beaten combatant. He was greatly chagrined and even worried. At length, when on a visit to a distant relative, he heard of a cock famed all through those parts for his fighting propensities, and for his success in battle. Daniel at once purchased the pugnacious fowl, giving for it half a dollar, which was all his treasure. With his game-cock under his arm, though he had expected to spend several days on this visit, he promptly started for home. He had gone but a short distance, when he passed a yard well stocked with poultry, among which he saw a large cock strutting defiance to any thing that might venture to dispute his sway. Daniel thought it a good opportunity to test the value of his purchase. By a battle or two he could judge, with his own eyes, whether he was destined to meet with a victory at home. So, down went the cock from his arms, and the fight began. But it was soon over; and the reputation of the new champion was triumphantly maintained. Several similar engagements took place on the journey, for, as in graver contests, one victory feeds the martial spirit, and each triumph is the seed of future battles. Not far from the set of sun, after numerous exploits of this nature, in which the result had been constantly on the same side, the boy approached the yard where the only important engagement was to be fought, and the question of supremacy was to be fairly tried. His cool judgment dictated the propriety of giving his champion a night's rest; but he could not sleep with so weighty a matter on his mind. He could not endure suspense. So, down went the war-worn cock again, and the sparring at once began. "For a while," as the statesman has told the story to his friend, "the contest was an even one; but in ten minutes, he had the satisfaction of seeing his hero victo-

rious. He saw the cock, against which he had the grudge, and which had again and again driven his own fowls from his own yard, led about by the comb, in a manner as degrading as the old Romans led their conquered foes, while celebrating their triumphs of arms. Wellington, after the battle of Waterloo, was not better satisfied with the results of the day, than he was with the results of *his* day." Years after this event, the statesman, Daniel Webster, took to himself the credit of having a good talent for sleeping. That night, he undoubtedly slept well.

Numerous anecdotes are told to show, that Daniel Webster, the boy, was as quick and as pertinent at a repartee, as ever was Daniel Webster, the man, the orator, the debater of his times. On a certain occasion, Daniel and Ezekiel had retired to bed; but, having been engaged in a literary dispute during the evening, they continued the controversy in their room. Getting into a scuffle about a passage in one of their school books, they set their bed-clothes on fire. In the morning, they were severely questioned upon the matter. Ezekiel, a very bashful boy, took the reproof silently; but Daniel apologized by saying, that "they had only been in pursuit of light, of which, he confessed, they got more than they desired."

The first instructors that Daniel had at school were Thomas Chase and James Tappan. The former of these personages died many years ago; but the latter lived till after the decease of his most distinguished pupil. What influence Mr. Tappan had in opening the mind of his little pupil, is not certain; but whatever it was, or whether he performed any great part in the matter, Mr. Webster never forgot him, but seemed to remember him with gratitude. In 1851, the old pedagogue addressed a letter to the statesman, reminding him of their former connection. The statesman, though surrounded by the duties of his office, and overloaded with the cares of an empire,

promptly returned an answer, which enclosed a bank-bill for fifty dollars:

"MASTER TAPPAN,

"I thank you for your letter, and am rejoiced to know that you are among the living. I remember you perfectly well as a teacher of my infant years. I suppose my mother must have taught me to read very early, as I have never been able to recollect the time when I could not read the Bible. I think Master Chase was my earliest schoolmaster, probably when I was three or four years old. Then came Master Tappan. You boarded at our house, and sometimes, I think, in the family of Mr. Benjamin Sandborn, our neighbor, the lame man. Most of those whom you knew in 'New Salisbury' have gone to their graves. Mr. John Sandborn, the son of Benjamin, is yet living, and is about your age. Mr. John Colby, who married my sister Susannah, is also living. On the North Road is Mr. Benjamin Pettingil. I think of none else among the living whom you would probably remember. You have, indeed, lived a chequered life. I hope you have been able to bear prosperity with meekness, and adversity with patience. These things are all ordered for us far better than we could order them for ourselves. We may pray for our daily bread; we may pray for the forgiveness of sins; we may pray to be kept from temptation, and that the kingdom of God may come, in us, and in all men, and his will everywhere be done. Beyond this, we hardly know for what good to supplicate the divine mercy. Our heavenly Father knoweth what we have need of, better than we know ourselves; and we are sure that his eye and his loving kindness are upon us and around us every moment. I thank you again, my good old schoolmaster, for your kind letter, which has awakened many sleeping recollections; and, with all good wishes, I remain your friend and pupil,

"DANIEL WEBSTER."

During all the years of Daniel's boyhood, his mother continued her efforts to instruct him so far as she was able, and undoubtedly gave him his first impressions respecting the value of a thorough education. The first impressions, however, were repeated and strengthened by the father. In a letter, written particularly to throw light upon this part of his history, the statesman has stated an incident, which must have been only a sample of many others: "Of a hot day in July—it must have been one of the last days of Washington's administration —I was making hay with my father, just where I now see a remaining elm tree, about the middle of the afternoon. The Hon. Abiel Foster, M. C., who lived in Canterbury, six miles off, called at the house, and came into the field to see my father. He was a worthy man, college learned, and had been a minister, but was not a person of any considerable natural powers. My father was his friend and supporter. He talked awhile in the field, and went on his way. When he was gone, my father called me to him, and we sat down beneath the elm, on a hay-cock. He said, 'My son, that is a worthy man—he is a member of congress—he goes to Philadelphia, and gets six dollars a day, while I toil here. It is because he had an education, which I never had. If I had had his early education, I should have been in Philadelphia in his place. I came near it as it was. But I missed it; and now I must work here. 'My dear father,' said I, 'you shall not work. Brother and I will work for you, and wear our hands out, and you shall rest'— and I remember to have cried, and I cry now, at the recollection. 'My child,' said he, 'it is of no importance to me—I now live but for my children; I could not give your elder brother the advantages of knowledge, but I can do something for you. Exert yourself—improve your opportunities—*learn*—*learn*—and when I am gone you will not need to go through the hardships which I have undergone, and which have made me an old man before my time.'"

It seems, in fact, from many circumstances connected with the boyhood of Webster, and from several anecdotes not important now to be repeated, that his father and mother both appreciated the remarkable talents of their son; but the first reliable evidence of his genius, or that which must have been the strongest at that time, was given to Mr. Thomas W. Thompson, a young lawyer, who had only a little before set up an office in the place. Having no students, and yet wishing to keep his door open, whether at home or absent, that his clients might always know when to expect him, he engaged Daniel to sit in the office, whenever he should be away, to give to strangers the proper information. The arrangement was entered into by the consent of all concerned. He was to sit there, not to do any service; but such a mind as that of Daniel Webster, though he was then but thirteen years of age, could not stand still in a room occupied, more or less, with books and papers. Among so many of both kinds, however, as must have been found on the premises of a man of talents and ambition, as Mr. Thompson was, there would be something of a choice. Besides law books, there were probably some histories, some books of poetry, some of travels, some biographies, some romances and other works of fiction. Any one of these would have been interesting to the little office-keeper; and most boys would have made a selection from them. But it was not so with Daniel. His choice was a book most repulsive to lads of his age generally; but, it was one, which a better judgment than an ordinary boy's would consider as the most useful. It was a Latin grammar, which Mr. Thompson had saved as a relic from his own days of classical study. This volume, a very poor companion, probably, by the side of the grammars of later generations, Daniel committed entirely to memory, and repeated it aloud to his new friend and future patron. Mr. Thompson was surprised. He was surprised, not only at the taste of the youth, but at the tenacity and readiness of his mem-

ory. He was surprised to see a boy perform such a feat without any apparent object. It seemed to him only the playful frolic of a little giant without employment. He concluded at once, that such a mind ought to have employment; and the incident was mentioned to the father, who was evidently pleased, but did not seem to be struck by it as if it were anything not to be expected. The truth is, he knew the talents of his son; but he now began to think more seriously, under the advice of Mr. Thompson, about setting him free immediately from manual labor, that he might commence in earnest a course of life better fitted to his capacities.

It is the advice of a French writer, who has addressed many valuable maxims to the young: "Aim high, aim at the highest mark; for it is as easy to shoot at the sun, as at a clod of earth; and by shooting high, you will not be so likely to hit the ground." This precept has roused the ambition of many youths; but it was too elevated for the ambition, at that time, of Daniel Webster's father. After a deliberation with his wife, to which Mr. Thompson was invited, it was settled, that Daniel should be released from the labors of the farm, and sent to some good academy, that he might prepare himself for the useful and honorable profession of a country school teacher!

The choice of an institution could not be a matter of much debate, as Phillips' Academy, at Exeter, New Hampshire, was among the best of New England, and not very distant. Mr. Webster has often told the story of his journey: The roads, at that time, were exceedingly bad even in New England, where they are now so smooth and agreeable. There were few carriages in the country, as they could not be much used. It was the custom, as in all new countries, to ride on horses, not only to places quite near, but to localities the most remote. It was so on this occasion. Mr. Webster, and his son, went to Exeter on horse-back; and there was one circumstance in the story of the ride to which the son, to his latest days, used to refer

with laughter and delight. A neighbor was desirous, on the very day of the departure, of sending a horse and side-saddle to Exeter for the convenience of a lady, who wished to ride back to Salisbury. The order of travel, therefore, put Mr. Webster, senior, on the back of one of his own horses, and Mr. Webster, junior, on the horse with the lady's saddle. "So," as the junior Webster used afterwards to say, with great merriment, "my first appearance in the world was that of a boy of fourteen riding behind my father on the saddle of a woman."

On the third day of their journey, they reached their place of destination so early in the afternoon, that the inhabitants of the village saw, what they afterwards remembered, the first entrance of Daniel Webster into Exeter, then the Athens of New Hampshire.

Daniel's introduction to this school has been often published. The principal of the institution was Benjamin Abbott, LL. D., at that time a man of consequence in the field of letters, and since the patriarch of American instructors. Through life, he was pompous in his manners, though his excessive dignity never seemed to rise from any pride of disposition. The father and son, on the morning after their arrival, walked up to the Academy; and the father stated to the Principal the object of his visit.

"Well, sir," said he, putting on his cocked hat, "let the young gentleman be presented for examination."

The lad, holding his hat in his hand—and no man ever held a hat more elegantly than did he in after life—modestly approached the magnificent and fearful dignitary, and stood before him. Though never in such a place before, it was certainly a trait of his in mature age, and probably in his youth, not only to be entirely self-possessed, but to know and feel at the instant, from a quick, intuitive perception, what is fit to be said and done. His manner, though very modest and becoming a person of his youthfulness, in spite of the lofty demeanor of the

Preceptor, seemed to say—"Here I am, sir, what will you have me do?"

"What is your age?"

"Fourteen."

"Take this bible, my lad, and read that chapter." It was the twenty-second chapter of the Gospel according to St. Luke. It could scarcely have been a more difficult chapter for a faulty reader, or a better one for the display of such a reader as was, even at that time, Daniel Webster. He took the volume handed him and began. A few verses, generally, are all that are required on such occasions, but the boy had not gone far, before the high-headed listener became absorbed in the manner of the reader, and lost a portion of his own self-possession. The reading was new to him. The boy, as it was afterwards with the man, seemed to banish everything from his thoughts but the business then in hand. He threw himself wholly into his performance, and yet without overdoing it. His voice was exceedingly sonorous and musical. There were a depth, a richness, a flexibility in it, which could not fail to arrest attention; and then his appreciation of what he read, his change of style to suit the changes of his topics, his correct emphasis, his beautiful inflections, in fact his elocution, for he was then an orator without knowing it, captivated the stiff doctor, and limbered his dignity not a little. Daniel, after reading the chapter out, shut the book and handed it to his Preceptor, who, without farther examination, was satisfied.

"Young man," said he, "you are qualified to enter this institution."

It is doubtful whether there was another person in Exeter, besides the new pupil, who could have read so large an extract with equal force and elegance.

It has been unwisely said, by those who wish to give undue credit to the natural abilities of Mr. Webster, in contradistinction to the powers acquired by education, that he had no

training in his youth, and very meager academical opportunities. The care taken of his mind by his mother, during all the early years of his boyhood, seconded by the assent and encouragement of his father, are a sufficient denial of the first part of this statement; and, as to his academical course, though brief, it could not have been undertaken at an institution better adapted to his peculiar character, or more likely to give him the greatest development in the shortest time. Phillips' Academy, though lower than a college, has equalled any college of the country in the rearing of great men. Within its halls, such men as Lewis Cass, Levi Woodbury, Jared Sparks, George Bancroft, John G. Palfrey, Joseph S. Buckminster, and both the Everetts, obtained the first rudiments of their classical education, and, doubtless, their strongest aspirations to a thorough, earnest and great life. It was there, too, that Daniel Webster began to take hold of intellectual matters with a giant's grasp, and prove to himself, and to his friends, the depth and breadth of his own intellectual might.

During the nine months of his stay at Exeter, he accomplished as much for himself, according to every account, as most young gentlemen would have accomplished in two years. When he left, he had as thoroughly mastered grammar, arithmetic, geography and rhetoric, as the majority of college graduates usually have done after a full collegiate course. He had also made rapid progress in the study of the Latin language. Dr. Abbott, appreciating fully the capacity of his most remarkable pupil, did not tie him down to the ordinary routine of study, nor compel him to lag behind with the other pupils, but gave him free scope, and a loose rein, that he might do his utmost; and the venerable Preceptor, after the lapse of more than half a century, during all which time he continued to be a teacher, declared on a public occasion, that Daniel Webster's equal, in the power of amassing knowledge, he had never seen, and never expected to see again. It is not enough to say of him, accord

ing to Dr. Abbott's description of him at this time, that he had a quick perception and a memory of great tenacity and strength. He did not seem barely to read and remember, as other people do. He appeared, rather, to grasp the thoughts and facts given by his author, with a peculiar force, to incorporate them into his mental being, and thus make them a part of himself. It is said of Sir Isaac Newton, that, after reading for the first time the geometry of Euclid, and on being asked what he thought of it, modestly observed, that he knew it all before. He understood geometry, it seems, by intuition, or by a perception so rapid as to appear like intuition; but it was also true of the great astronomer, that he had great difficulty of remembering even his own calculations, after he had gone through them. Daniel Webster, on the other hand, though endowed with a very extraordinary quickness of insight, worked harder for his knowledge than did Newton; but when once he had gained a point, or learned a fact, it remained with him, a part of his own essence, forever afterwards. His mind was also wonderfully fertile. A single truth, which, with most boys of his age, would have remained a single truth, in him became at once a starting-point for a remarkable series of ideas, original and striking, growing up out of the seed sown, by that mighty power of reflection, in which no youth of his years, probably, was ever his superior.

It is singular, however, though not unaccountable, that, at this period of his life, he could not speak in public. In a brief memoir of his first tutor at Exeter, Joseph S. Buckminster, he makes an allusion to this circumstance. "My first lessons in Latin," says he, "were directed by Joseph Stevens Buckminster, at that time an assistant at the academy. I made tolerable progress in all the branches I attended under his instruction; but there was one thing I could not do. I could not make a declamation—I could not speak before the school. The kind and excellent Buckminster especially sought to persuade

me to perform the exercise of declamation, like other boys, but I could not do it. Many a piece did I commit to memory, and rehearse in my own room, over and over again; but when the day came, when the school collected, when my name was called, and I saw all eyes turned upon my seat, I could not raise myself from it. Sometimes the masters frowned, sometimes they smiled. Mr. Buckminster always pressed and entreated with the most winning kindness, that I would venture only *once;* but I could not command sufficient resolution; and when the occasion was over, I went home and wept tears of bitter mortification."

"Here, then," says an anonymous biographer of Webster, "is a striking fact: the *man*, who, during his first nine months at an academy, though a good reader, and naturally self-possessed, could not deliver a speech! and yet, afterwards, he became the greatest orator of his time! Bashful boys, take courage!"

This, undoubtedly, is a very good practical moral, which those concerned may well heed; but the philosopher will look into the causes of this anomalous timidity, and give some account of it to himself. A man will do with indifference that in which he is conscious he is not destined to excel; but bring him to the matter, whatever it may be, which, his heart and soul tell him, and every fibre of his being constantly assures him, is the thing for which he was made, which is to form the glory of his life, the burden of his fame, and the man shrinks from it, dreads to undertake it, pauses, trembles, fears, and perhaps flies from it. It is the momentous feeling of responsibility, of responsibility to himself and to his calling, and that keen and nervous sensibility that always comes with genius, which make him modest, and sometimes timid, in what he has the greatest promise of success. More than one man of parts, who has resolved on some great work of art, some master-piece, to which he would commit his reputation, has spent the whole of

his life in the execution of minor works, to which he attributed no value, only as they were studies preparing him for the grand design, and thus lived and died without ever touching the work which was to have immortalized his name.

After remaining in the school at Exeter about nine months, young Webster left, never to return to it; but the impressions made there upon his mind he never lost. He never lost anything, in fact, which he had once fairly possessed. Among the recollections of the academy, which he often mentioned, and which he carried with him to his grave, his early and continued veneration for his Preceptor took, perhaps, the most conspicuous place. Dr. Abbott was a wonderful man; he was universally respected by his pupils; and it has been thought by some, that he not only was the first to rouse the ambition of Daniel Webster to its utmost pitch, but imparted to him a portion of his own dignity of manner. He continued at the institution at Exeter till 1839; and, on his retirement, at the age of seventy-seven, his scholars made it the occasion of a grand rally, from all parts of the Union, to the shades of the old academy. It must have been a scene of surpassing interest. The notices given of it in the public prints, though brief, and even meager, will help an imaginative mind to get an idea of the reality, and to look back, with an appreciating eye, on the influences so early at work on the destiny of Daniel Webster. "Having attained the age of seventy-seven years, and having filled the measure of his long and faithful services, Dr. Abbott announced his determination to resign his office at the conclusion of the summer term. This was to a large number of his pupils, to all whose health or business would permit their attendance, a signal for a spontaneous rally once more around their venerable teacher and friend, to offer him a heart-felt tribute of gratitude and respect. His portrait, painted by Harding for the occasion, will faithfully transmit the lineaments of his countenance to after days. The dining hall, selected for the festival,

was filled by a long procession of Dr. Abbott's former pupils, from all parts of the country, once more gladdened by the familiar salutation, and grown young again in the presence of their ancient instructor; renewing the friendships which time had interrupted; revisiting the homes of the hospitable inhabitants which had sheltered their early days; tracing once more the scenes of their boyish sports, and sadly bidding farewell to friends, whom most of them were to see no more. Political and all other divisions were, for the time, forgotten, as they listened to the eloquent and appropriate addresses of Daniel Webster, Edward Everett, and the other speakers, whom the occasion inspired. All eyes were directed to the man of the day. Dr. Abbott had prepared an address to the assembly. They clustered about him in breathless expectation. He arose to tender his acknowledgments and a parting benediction. The scenes and events of so many years came crowding upon his mind. His 'boys,' of days long gone by, were gathered in his presence with every demonstration of the warmest attachment. His eye fell upon those whom he had instructed, counseled, guided, and for whom his prayers had so often ascended to the throne of mercy. Some had fallen asleep. Perhaps at that moment of intense emotion, the image of his lamented son, taken from him in early life, might have passed before his mind, as it glanced from the present to the past. Overcome by the conflict of his emotion, he faltered and paused. His utterance was choked; his eyes were filled with tears; and he sank into his seat, wholly unable to proceed, amid the sympathy, the enthusiasm, and the overwhelming applause of the whole concourse."

The relative standing of Daniel Webster, as a scholar, while attending school at Exeter, will be sufficient to dissipate the idle stories set afloat by those who wish to give all the credit of his greatness to nature, and to depreciate the value of a thorough discipline, of a careful education. It was the practice, it would

seem, at Exeter academy, to place all new pupils at the foot of the lowest class, leaving each to demonstrate his fitness for a higher position. This regulation was always trying, and sometimes disheartening. It was so in the case of Daniel. He began at the bottom of the school; and, a poor country boy as he was, with a head too big for his slender body, and with eyes too large for his head, he may have made a laughable appearance by the side of the boys from Boston, and other large towns, who came there well dressed, and with heads and eyes, probably, of no very remarkable expression. At all events, the city boys laughed at the country boy; and the country boy, with a soul as keen as the apple of an eye, was chagrined, discouraged, and almost despairing. All this, too, when entirely unknown to himself, he was winning golden opinions from his teachers, and surprising them hourly by his masterly exhibitions of mental power. After school, weary of his thoughts and sadly crest-fallen, he would go to his lodgings, to weep and study, to study and weep, in secret. His tutors encouraged him; but that availed him little, while the well-dressed boys laughed. His time, however, at length came. One morning, when he had been in school about a month, Mr. Nicholas Emery, who was then an instructor at Exeter, marshaled the boys of his department before him for a general recitation. It was then that the laughed-at boy, and the laughing boys, could meet face to face, and try the questions of laughing and of being laughed at, before a competent tribunal. When the recitation was over, and each one had done his best, the master gave his decision in the following language: "Webster, you will pass into the other room, and join a higher class. Boys, you will take your final leave of Webster, for you will never see him again!"

The next winter, after leaving Exeter, he devoted to study at home, and to teaching a class of young people of about his own age. His school assembled in the house of his uncle Wil-

liam Webster, where he gave them all the instruction they required, without materially retarding the pro ress of his own intellectual pursuits. The act of teaching, in fact, was doubtless of great benefit to him at that time. It gave him a fine opportunity for reviewing his former studies; and it impressed upon his mind, more deeply than ever, the first rudiments of an English education, in which even our public men, and the greatest of them, are frequently deficient.

At the village of Boscawen, a place not far from Salisbury, lived the Rev. Samuel Wood, LL. D., a man of great learning, a patron of the young and aspiring, and an ardent friend of a liberal education. He graduated at Dartmouth, in 1779, with the highest honors of his class. His time, and talents, and means, were all devoted to the spread of piety and knowledge among the people of his charge. In the course of a long life, he is said to have helped, in one way or in another, more than one hundred and fifty pupils. Of these, more than a hundred entered college, nearly fifty became ministers of the gospel, about twenty became lawyers, some of whom were very eminent, and eight or ten became physicians. It is related, that, in his advanced years, he could count, among his older pupils, several governors, a number of councilors of state, some distinguished judges, and some members of congress. As an encourager of youth, as a mind to make his mark upon other minds, he was probably quite superior to Dr. Abbott. In his zeal for the cause of learning, he actually went about searching for the objects of his charity, and for those whose native abilities gave promise of distinguished usefulness. Such a man could not fail to fall in with such a youth as Daniel Webster. The two met in Salisbury, and the result of the meeting could not be doubtful. Daniel soon after became a pupil of Dr. Wood, with whom he stayed several months, and who fully appreciated the remarkable capacities of his new acquaintance. The teacher had soon done what was necessary to fit the scholar

for the university; but the idea of entering college, or of ever seeing more than the outside of one, had never dawned upon the highest summit of his ambition.

Dr. Wood, who was a prudent man, did not venture to mention the matter of a college education to Daniel, until he had made due preparation for the announcement. He wrote to Dr. Abbott. Dr. Abbott replied to Dr. Wood. Dr. Wood, with the letter of Dr. Abbott, and with his own warm heart and judicious head, went to Colonel Webster, the father of the youth, and laid his plan before him. It seemed to the father too great an undertaking. He was then poor, comparatively, at least not rich, when the size of his family is taken into consideration. He thought, too, that the act of sending one of his boys to college, while the others had had only the first rudiments of an education, would be an act of partiality. These, and all similar scruples, were finally overcome by the eloquence and zeal which accompanied the application. The question was at last decided. It was decided in the affirmative. Dr. Abbott and Dr. Wood were to open the door of Dartmouth; and Daniel Webster was to go to college.

The decision was made; but it was not reported to the one most interested. For several days, Daniel knew nothing of it. He was still studying his books, and pursuing his usual avocations, as if he was about finishing his literary course, preparatory to his becoming a country schoolmaster. Colonel Webster seemed to be even coy about stating to Daniel the important result of his deliberations. The truth is, the father and the son were both exceedingly delicate in their sensibilities; both would probably be moved by such a revelation; and a matter of this magnitude could not be mentioned by the one, or listened to by the other, excepting at a proper time, and under fitting circumstances. The time at length came. One day, as they were driving alone to Boscawen in a rude sleigh, when the horses had slackened their speed in the ascent of a

long hill, the secret was told: "I remember," says Daniel Webster, in his own account of the conversation, "the very hill which we were ascending, through deep snows, in a New England sleigh, when my father made known this purpose to me. I could not speak. How could he, I thought, with so large a family and in such narrow circumstances, think of incurring so great an expense for me. A warm glow ran all over me; and I laid my head on my father's shoulder and wept." What artist will give the world a picture of this scene!

CHAPTER IV.

WEBSTER IN COLLEGE.

The first appearance of Daniel Webster at Dartmouth has been given to the public by his class-mate, subsequently a member of the Faculty of that college, Professor Shurtliff: "When I came to enter this Institution, in 1797, I put up, with others from the same academy, at what is now called the Olcott House, which was then a tavern. We were conducted to a chamber, where we might brush our clothes and make ready for examination. A young man, a stranger to us all, was soon ushered into the room. Similarity of object rendered the ordinary forms of introduction needless. We learned that his name was Webster, also where he had studied, and how much Latin and Greek he had read, which, I think, was just to the limit prescribed by law at that period, and which was very much below the present requisition."

Webster had come from home through a violent rain. He wore a suit of blue, dyed at home, as well as woven and made up at home. It need not be doubted, that the color of the cloth may not have been very fast, for the art of dyeing was not likely to be thoroughly understood, or well practiced, in the backwoods of New Hampshire at that time. Be this as it may, when Daniel arrived at his hotel, according to his own account, he made no figure calculated to help him in the presence of his examiners. The rain had completely soaked his garments; the indigo, which had taken only the slight hold mentioned on the texture of the cloth, had run down upon his limbs

and arms; and, in wiping the water from his face, he had spread the color over his eyes and around his mouth and chin. The professors were waiting for him on his arrival. He had no time to make due preparation. Soaked with rain, his garments stiff and smoking, and his face spotted and smeared with indigo, he hastened to meet the Faculty, on their summons, to pass the great ordeal of his life. He has often laughed at the figure he cut that day, when, as he used to express it, "he was not only *black* Dan but *blue* Dan." He is reported, nevertheless, to have passed a good examination. According to his usual manner, and in spite of the disadvantages of his appearance, he was entirely self-possessed. What he lacked in classical lore, he more than made up by the ease and dignity with which he related to his judges the early beginning of his education, how many books of the course he had read, what authors outside of it he had perused, and all the matters concurrent to the case in hand, which he narrated with as much eloquence, probably, simple and direct, as any of them had ever heard. His case was easily decided. If he was not the best scholar, which could hardly be expected of a youth prepared for college in about ten or eleven months, he was certainly the most remarkable and promising member of his class. This the professors all saw as soon as he stood up before them. They saw it more plainly when they listened to his voice. Even then, according to the testimony of two of his classmates, one of whom is still living, he was as dignified, as easy, as elegant, as he ever was in after life. His appeal to the Faculty, after his examination was concluded, and they were about to deliberate, as he thought, upon his merits, was exactly after the manner of his riper years. Referring to the haste, in which he had been summoned before them, and the unfortunate aspect he presented, he made use of language, which, before many a tribunal, would have gained the case: "Thus you see me," said he, "as I am, if not entitled to your approbation, at least to your sympathy."

His general demeanor as a student is worthy of particular remark: "Mr. Webster, while in college," says Professor Shurtliff, "was remarkable for his steady habits, his intense application to study, and his punctual attendance upon all the prescribed exercises. I know not that he was absent from a recitation, or from morning and evening prayers in the chapel, or from public worship on the Sabbath; and I doubt if ever a smile was seen upon his face during any religious exercise. He was always in his place, and with a decorum suited to it. He had no collision with any one, nor appeared to enter into the concerns of others, but emphatically minded his own business. But as steady as the sun, he pursued with *intense application* the great object for which he came to college." Many a young man in college has been misled, deceived, ruined by the vaunted examples, like those of Byron and of Shelly, of successful idleness. They forgot, however, while following such guides, the laborious efforts of nine-tenths of the greatest men of modern history. If they wish to behold another proof of the value of hard study, let them look here into the early life of Daniel Webster, who, though endowed by nature beyond any one of his day, did not reach the highest eminence, nor could he satisfy the requirements of his mind, without the most diligent and thorough application to his studies.

The freshman and sophomore classes at Dartmouth, at this time, devoted themselves to the rudiments of the mathematics, to the Latin and Greek languages, and to regular exercises in speaking and in composition. In mathematics, especially the higher mathematics, Daniel Webster took no great interest, as he did not regard this branch of study as very practical, nor therefore as very important. His mind, indeed, always leaned toward facts, and the proper use of facts, rather than toward calculations. The languages, however, were his delight. He pursued them as did no other student of the institution. He went to the bottom of them, making himself thoroughly

acquainted with their elements, their first principles, and their philosophy. He was the best, the deepest, grammarian of his college. He studied carefully the origin, the history, the exact meanings, and the perversions of words. His philosophical and comprehensive mind would not be satisfied with knowing the use of words simply, but he at once sought out their relations to other words, and put them into their etymological places according to their mutual relationships, thus abridging the immense task of learning the vocabulary of the languages by making out for himself brief and logical classifications. He paid special attention, also, to the formation of a good style of rendering his classics into English. He endeavored to catch the manner of his author and then copy it in his version. He thus studied language and rhetoric together. Among all the works of the first two years, Cicero, as might be expected, was his favorite author. Him he read, day and night, not barely as a school-boy, but as a philosopher, as a critic, and particularly with a view to a knowledge of the fundamental principles of elocution. He would read, and re-read, those orations which charmed the Roman senate and the Roman people, as if they were his own speeches, and he was delivering them to an actual auditory. He made himself perfectly familiar with them, so that he could repeat several of them from memory, and make large quotations from any of them, without a moment's warning. After uttering long passages to his class-mates, he would criticise their style, showing up the faults, or pointing out the merits, of the great orator. In this way, he made the pervading spirit of Roman eloquence, in its highest form, his own spirit, a part of his own way of thinking and of speaking, which continued with him, and was afterwards always manifest in him, in his greatest efforts.

It was at this time, too, that he acquired that taste for classic poetry, and especially his partiality for Virgil, which never left him. The author of the Æneid, next to Cicero, was to him

the most captivating of the Roman writers. He read the poems of this classic, and particularly his great epic, so repeatedly and constantly, that he could quote the most remarkable passages, while yet a boy, as he used to quote them after he became a man. Those who have had the good fortune to hear him, on the platform, or at the bar, or in the senate, have often wondered at the readiness with which, on the spur of a moment, without the opportunity of any preparation, he would rise to his feet, and, in the course of an extemporaneous debate, not only utter himself in the most classic English, but make the most apposite quotations from the Roman classics, and especially from the Roman poets. His quotations always seemed to be, indeed, more to the point, than those of any other orator of modern times. This facility, which was actually a power, he laid the foundation for during his first and second years in college.

While he was thus making such deep and lasting acquisitions in the department of language, it must not be supposed, that, though not enthusiastic in the mathematics, he was neglectful of them. It was never his habit to neglect anything that properly belonged to him. He studied this branch well, and obtained a good reputation in it; and, in spite of the moderation of his zeal in these studies, he was always at home, and could stand his ground under the most critical examination. It is probable, however, that it was sometimes his power of mind, rather than his knowledge, by which he maintained his points, and made himself even popular in this department. "He gained me," says the venerable Judge Woodward, at that time the professor of mathematics, "by combatting my opinions; for I often attacked him, merely to try his strength."

During the whole of these first two years, he devoted a great share of his time to general reading and to composition. His class-mates spent their hours principally in preparing their lessons, making but few excursions into the world of knowledge

outside of their class-room authors. He, on the other hand, after making a thorough preparation for his recitations, found time to read extensively in history, in poetry, and in criticism. American and English history, however, and the American and English classical belles-lettres writers, were his chief study. The history of England he studied with a glowing interest. He seemed to have a passion for it. Every book written about England, for or against, historical, political, or descriptive, he devoured. The discovery and first settlement of this country, also, the struggles of the several American plantations, the wars with the Indians, and everything pertaining to that primitive period of our annals, he read with equal interest. Our great men were then just in the act of giving a permanent existence, an established character, to our national government. What they were doing, and what they generally proposed to do, arrested and occupied his serious attention. From the day of the cotton handkerchief, he had been a student and a great admirer of the constitution. While in college, he could repeat it, and did more than once repeat it, from beginning to end, from recollection. He could remark upon it, too, and that wisely, as well as rehearse it. He took special pleasure in tracing the various provisions of the constitution to something that had preëxisted in the institutions of Great Britain, or to the historical attempts made, at different periods, by the English patriots, to introduce new features into the government of their country. Questions frequently arose, in the debates of the students, relating to English and American affairs, in none of which could any student stand a moment against the thorough knowledge, the wide views, the deep reasoning, and the graceful as well as commanding and overpowering elocution of Daniel Webster.

Not only in books, studied as described with the ardor of a devotee, and with the penetration of a philosopher, but from living examples, from existing models, did he pursue his inves-

tigations respecting eloquence. The same spirit, which, at Exeter, would not suffer him to make a declamation, was now burning in his bosom like a vestal fire, and urging him on to a most profound knowledge of the principles and practice of true oratory. After Cicero had become as familiar to him as his alphabet, he read Demosthenes with great animation, but, perhaps, not with so perfect an appreciation. The mind of Demosthenes, though forcible, was not so wide and comprehensive as to make him, in this respect, preëminent. He was a man of sound thought, of clear ideas, of great skill in argument; but his fame arose rather from the quickness and keenness of his temper, from the rapidity of his conceptions, from the impetuosity of his spirit, from the irresistible bursts of his fiery passion. Such a man, such a mind, could not be the favorite with a cool, deliberate, broad, slow, but mighty mind, like that of Daniel Webster. Demosthenes, though laborious in writing out his speeches, did not think enough, was not calm enough, for Webster. Cicero, on the other hand, was calm. He was also deep, wide, philosophical, and yet passionate. There were many points of resemblance between the American and the Roman; and the Roman was always, both in youth, and in mature age, the chosen model, so far as there was any model, with the great American. The truth is, however, young Webster made no one man his model. The classic orators were read, studied, criticised; and all that suited the temper and taste of the student were thoroughly incorporated into his own mental being. But he studied, particularly at about the end of his first two years in college, the English and American orators with as much zeal as ever he had studied the Roman and the Grecian. What a galaxy of great debaters were then before him, in England and in this country! Pitt, Fox, Burke, on the other side of the Atlantic, had electrified all Europe, and immortalized their names, in the wilds of a new continent, by those wonderful efforts, the like of which Europe had never before

witnessed. On this side of the Atlantic, Fisher Ames, Patrick Henry, Samuel and John Adams, and Alexander Hamilton, had won for themselves, both here and in England, an equal immortality. All these great orators were thoroughly studied by young Webster. No man could he meet from Boston, or from New York, or from Philadelphia, where our eloquent patriots were most in the habit of making their celebrated speeches, but the young student would exhaust the vocabulary in asking questions about their personal appearance, their style of speaking, their voice, their gesture, their general demeanor on the platform. In this way, he acquired a large stock of the most useful information, respecting the art that nature had chosen for him; and he thus drew up his own judgment, and formed his own style, with the advantages of much previous study, and from a wide induction of the most illustrious examples. If there was any one individual, that deserves to be considered as Daniel Webster's model in oratory, that man was undoubtedly Alexander Hamilton; and it is not singular, that the elder should also have been almost a pattern to the younger statesman, in nearly every other matter pertaining to their political character and public services. A man's oratory, in fact, is an expression, and the best possible expression, of his character; it is the man himself making a revelation of his own inward being; and it was never more thoroughly such a revelation, than in the example of the two patriots, whose memories are thus linked together. It is fortunate for the reader, and for all students of true eloquence, that Webster has happened to give the ideal of oratory as formed within him, at the period and in the manner before mentioned; and it is equally fortunate, that this ideal happens, also, to be a perfect exposition of what was common to two statesmen, whose superiors have never risen up, and possibly may never rise up, among us: "True eloquence, indeed, does not consist in speech. It cannot be brought from far. Labor and learning may toil for it, but they will toil in

vain. Words and phrases may be marshaled in every way, but they cannot compass it. It must exist in the man, in the subject, and in the occasion. Affected passion, intense expression, the pomp of declamation, all may aspire after it, but they cannot reach it. It comes, if it comes at all, like the outbreaking of a fountain from the earth, or the bursting forth of volcanic fires with spontaneous, original, native force. The graces taught in the schools, the costly ornaments and studied contrivances of speech, shock and disgust men, when their own lives, and the fate of their wives, their children, and their country, hang on the decision of the hour; then words have lost their power, and rhetoric is vain, and all the elaborate oratory is contemptible. Even genius itself then feels rebuked and subdued, as in the presence of higher qualities. Then patriotism is eloquent; then self-devotion is eloquent. The clear conception outrunning the deductions of logic, the high purpose, the firm resolve, the dauntless spirit speaking on the tongue, beaming from the eye, informing every feature, and urging the whole man onward—right onward to his object—this, this is eloquence!"

At the end of the first two years, the young student went home to pass the time of the long vacation. Keeping with his books at night, and at all times when not otherwise demanded by his father, he went into the field by day, and entered into all the labors of the farm as if he had never left it for an hour. When at his studies, or engaged in any serious occupation of the mind, he was always himself serious, and would sit hour after hour, in the family circle, surrounded by all sorts of operations, absorbed, swallowed up, lost in the author, or in the topics, he had in hand. The moment, however, that he had finished his intellectual labor, or was called away by other duties from the employments of his mind, he was at once changed, transformed completely, into a perfect embodiment of sport. His health was good; his intellect was sound and active; his

studies were giving delightful exercise to all his faculties; he was emerging, every day, from the life of a mere plough-boy, in an obscure portion of the country, into the great world of letters, which, covering the world, makes of it something like a universal brotherhood of kindred spirits. Though not yet a member of that brotherhood, he was a candidate for membership, and every step he took forward, which brought him nearer to the final goal, gave him new animation, and increased the buoyancy of his ever-buoyant soul. Whenever his books were thrown aside, he seemed no longer the studious recluse, the thoughtful and brow-knitting scholar, but the jovial companion, overflowing with genuine wit, and equally ready to laugh at or to make a joke. It was his growing mirth, rather than the increasing acquisitions of his mind, that made him more and more the universal favorite of the field. He could then tell a good story; and his powers of representing characters, of mimicking, of taking off what was ludicrous, of dashing along with the lively and the gay, of making the hayfield ring with laughter, or of raising sport that would set the long drawn table in a roar, marked him then, as they have marked him through the soberest periods of his life.

On a certain day, his father, who was about leaving home to be gone till night, gave directions to Ezekiel and Daniel to perform a piece of work. After he was gone, the boys took it into their heads, not out of a spirit of disobedience, but with that discretion which they thought they were now about old enough to use, to defer the work enjoined upon them to another day. Still, they were not entirely certain that their decision would be approved, especially as it left them little or nothing at all to do. Ezekiel, as usual, was rather sober about it. Daniel was as lively as ever. At night, on his return, the father, seeing the work unperformed, spoke rather sharply to them: "Ezekiel, what have you been doing all day?" "Nothing," said the culprit. "And what have *you* been doing, Daniel?" "*Help-*

ing Zeke, sir," said the rogue in a very solemn way. The reply of Ezekiel left the father not softened. Daniel's wit warmed him into a pleasant smile. That same wit has often gained other victories of more importance to the world.

On another day, during the long vacation, Daniel was put to mowing, when he had a book about him that he was exceedingly anxious to peruse. The work was not very pressing, and Daniel knew it. He was, therefore, the more at liberty to drop his scythe, now and then, and fall under a bush, or into the shadow of an elm, and read. He was perfectly aware, too, that his father, though anxious always to have every person do a good day's work, was never so easily satisfied with his boys for doing less than was expected of them, as when they neglected their labor for their books. On that day, certainly, Daniel was not doing much; and he complained, whenever his father came to him, that the scythe was not properly hung. The father set it for him a number of times; but all to no purpose. Daniel was still doing but little. At length, a little impatient, the father came and inquired into the matter more minutely. The answer still was, that the scythe was not well hung. "Hang it yourself, then," said the father, "and hang it to suit you." Taking the full advantage of these instructions, Daniel went to where the scythe was lying, picked it up leisurely, brought it to the place where he had been sitting, and hung it up very carefully on a limb of the tree. "There, sir," said the laggard, "it now hangs just right." In the mean time, the father had seen the book; he accordingly received the witticism with another of his smiles; and that was the end, to Daniel, of that day's work.

With all these pleasantries, however, the general tenor, the main current, of Daniel's life, at this period, was serious. He had undertaken a great matter. He had engaged in it with all his might. He understood its import, and meant to be thorough and complete. He read, studied, and conversed, with the one

end in view, of disciplining his faculties, of enlarging the amount and sphere of his knowledge, of laying a broad and deep foundation for future use. His diligence, instead of abating, grew with his advancement day by day; and that advancement had even now become such as to inspire all his friends with the most exalted expectations of his after life. His growth in knowledge was particularly gratifying to Mr. Thompson and Dr. Wood, his early friends, whose patronage came to him as a tribute to the strength, originality, and promise of his mind. Colonel Webster, a sagacious man, could not fail to see the maturing greatness of his son. He began to behold the first fruits of his education; and, on several occasions, mentioned the satisfaction that Daniel's success had given him, to his mother. That mother, his first teacher, and a glorious woman, had seen it all, had enjoyed it all, had looked upon him with a mother's eye, and regarded him as her noblest jewel. She needed no one to tell her of the superiority of Daniel's mind, no one to assure her of his ultimate greatness and success, no one to display to her admiration the excellent qualities of his moral nature, his magnanimity, his disinterestedness, his kindness of heart, his great tenderness and benevolence of soul. All these she had discovered, had admired, had doted on in secret, had treasured up among her fondest recollections, from the earliest years of his infancy. It must be acknowledged, without doubt, that she was even proud of him; but it may be left to other mothers, who have had similar fortune, to urge this against her as a fault.

The moral sentiment of Daniel Webster, at this season of his life, was never more happily illustrated, perhaps, than by the interest he took in the education of his brother. Then in the full enjoyment of study, with the highest prospects rising up before him, which gave him the utmost exhileration of soul, he could not rest, he would not rest, he did not rest, till the same advantages were furnished to Ezekiel. This part of his history is told by Professor Sanborn: "After a residence of

two years at college, he spent a vacation at home. He had tasted the sweets of literature, and enjoyed the victories of intellectual effort. He loved the scholar's life. He felt keenly for the condition of his brother Ezekiel, who was destined to remain on the farm, and labor to lift the mortgage from the old homestead, and furnish the means of his brother's support. Ezekiel was a farmer in spirit and in practice. He led his laborers in the field, as he afterwards led his class in Greek. Daniel knew and appreciated his superior intellectual endowments. He resolved that his brother should enjoy the same privileges with himself. One night the two brothers retired to bed, but not to sleep. They discoursed of their prospects. Daniel utterly refused to enjoy the fruit of his brother's labor any longer. They were united in sympathy and affection; and they must be united in their pursuits. But how could they leave their beloved parents, in age and solitude, with no protector? They talked and wept, and wept and talked, till dawn of day. They dared not broach the matter to their father. Finally, Daniel resolved to be the orator on the occasion. Judge Webster was then somewhat burdened with debts. He was advanced in age, and had set his heart upon having Ezekiel as his helper. The very thought of separation from both his sons was painful to him. When the proposition was made, he felt as did the patriarch of old, when he exclaimed, 'Joseph is not; and will ye also take Benjamin away?' A family council was called. The mother's opinion was asked. She was a strong minded woman. She was not blind to the superior endowments of her sons. With all a mother's partiality, however, she did not over-estimate their powers. She decided the matter at once: 'I have lived long in the world, and have been happy in my children. If Daniel and Ezekiel will promise to take care of me in my old age, I will consent to the sale of all our property at once, and they may enjoy the benefit of that which remains after our debts are paid.' This

was a moment of intense interest to all the parties. Parents and children all mingled their tears together, and sobbed aloud, at the thought of separation. The father yielded to the entreaties of his sons and the advice of his wife. Daniel returned to college; and Ezekiel took his little bundle in his hand, and sought on foot the scene of his preparatory studies. In one year, he joined his younger brother in college."

When it is said of a man, in order to indicate the character and amount of his mental discipline, that he is a graduate of college, no reliable idea is given. Nothing more indefinite could be said. The colleges of one country differ exceedingly, in every way, from the colleges of another. The institutions of a single country, at one period of its history, differ as greatly from the same institutions at another period. The schools of the same nation, and of the same age, are often scarcely comparable with each other. And these facts must not be forgotten in estimating the native abilities and the intellectual training of Daniel Webster. He studied four years in a university. This is certain. It is certain that he entered the institution respectably prepared. It is equally certain that he maintained a good rank as a member of the college classes. The rumor, so current once, and so readily caught up by injudicious gossip, that he stood low at school as a student, is entirely without foundation. As things then were, as education was then understood, he was decidedly above the average standing, and in many respects without a rival. He was as much a lion, while a school-boy among his associates, as he ever was in congress, at the bar, or on the platform, among the greatest men of the nation, and of other nations. As the discipline he received was not such as is now given at our universities, it will be pertinent to state farther, for the benefit of those who will wish to see the whole meaning and force of his great example, the course of studies he pursued till he removed from college.

Having, during his first two years, completed the classics, as

they were then read, together with pure mathematics, the third year was devoted to natural philosophy, to moral philosophy, and to rhetoric. Natural philosophy was then, what it is now, an application of the higher mathematics to natural science. In this department, while he was prepared to be delighted, and was delighted, with the views of nature thus presented to him, he failed to realize as much pleasure and profit from it, as he would have realized, had he not chosen not to be very deeply interested in mathematics. With this disadvantage, nevertheless, he was about equal to the best of his competitors, but was estimated lower than he should have been, because he permitted such a difference to exist between his marked ability and his recitations. A person acknowledged to be remarkable, must always be remarkable in every thing he does, or he fails to receive the credit positively belonging to his performances. Milo must always carry the ox, whether he wished to carry him or not, or the superficial were ready to believe, that he could not bear a heavier burden than common people.

In moral philosophy, and in rhetoric, however, no such considerations need be offered. In both these studies, Daniel Webster had no equal in the university among the students. It is doubtful whether he had his superior, in all respects, among the teachers. His style as a writer and speaker, it is true, was then far from being what it became afterwards; and it might have been decidedly inferior, in point of accuracy and finish, to that of the weakest professor. But, taking his mind, his thought, his logic, his energy and power into the account; taking into consideration the earnest spirit, the lofty tone, the depth and breadth, of his range and reach of thought; and it is nearly certain, if not quite certain, from what we now possess of the efforts of that day, that no man in college, student or professor, was entirely his equal. His conceptions, it is confessed, were frequently too glaringly bold for good taste, but they were not bald. They were full of meaning, of sense, of powerful thought.

His diction, too, was daring, bombastic, sometimes turgid to the last degree of fault; but it was the diction, as every one could see, and as every one could see with all needful apology, of a masterly mind, crowded with ideas too big for such utterance as he had then acquired.

On the 4th of July, 1800, when he was in his seventeenth year, and a junior in college, he delivered an oration to the citizens and students, at their joint request. It is still extant; and though, in comparison with the immortal efforts of mature life, it bears no great resemblance to them, an inquirer into his genius and character might rather lose almost any one of his master-pieces, than to fail of reading and studying this. The master-pieces are numerous; they show what a great man is; but the first performance can be only one; and that one exhibits clearly the starting-point, the origin, the germ, of all that was to come. In the later efforts, we see what the man is by simple induction, by arguments *a posteriori*, by a very common and hackneyed process. In the first attempt, where nature speaks, before art has taken the control of nature, when the inner soul utters itself unconsciously, we look forward to the future being, to his coming greatness, by the more beautiful method *a priori*, as a man traces a stream from its fountain-head till it reaches the great ocean, or as a seer, a prophet, looks down the track of time, and beholds the grandest developments from the most inconsiderable of causes.

No one, familiar with Daniel Webster's style, will fail to see, in every part of his virgin effort, much of the man in the style and manner of the boy. Let the reader, who has heard him speak for the last ten or fifteen years, call up to his imagination a picture of the mature orator, as he was whenever he saw and heard him, and with that in view draw another picture, as he peruses the exordium of that juvenile address:

"*Countrymen, brethren and fathers:* We are now assembled to celebrate an anniversary, ever to be held in dear remem-

brance by the sons of freedom. Nothing less than the birth of a nation, nothing less than the emancipation of three millions of people from the degrading chains of foreign dominion, is the event we commemorate.

"Twenty-four years have this day elapsed, since these United States first raised the standard of Liberty, and echoed the shouts of Independence.

"Those of you, who were then reaping the iron harvest of the martial field, whose bosoms then palpitated for the honor of America, will, at this time, experience a renewal of all that fervent patriotism, of all those indescribable emotions, which then agitated your breasts. As for us, who were either then unborn, or not far enough advanced beyond the threshold of existence, to engage in the grand conflict for Liberty, we now most cordially unite with you to greet the return of this joyous anniversary, to welcome the return of the day that gave us Freedom, and to hail the rising glories of our country!"

That, every reader will say, in spite of its grandiloquence, in spite of one or two inaccuracies in the use of language, such as the man was never guilty of, is a splendid exordium for a boy of sixteen years.

The statement of the subject, as in all his future speeches, is brief, clear and simple: "On occasions like this, you have hitherto been addressed, from the stage"—he means the platform—"on the nature, the origin, the expediency of civil government." He must have been a close observer to have arrived, at so early an age, at an induction so general and truthful. "The field of political speculation has here been explored by persons possessing talents to which the speaker of the day can have no pretensions. Declining therefore, a dissertation on the principles of civil polity"—which he pretty clearly understood, but which he was too diffident to offer as the topic of a discourse—"you will indulge me in slightly sketching those events,

which have originated, nurtured and raised to its present grandeur this new empire."

The orator now proceeds directly to his argument, in which he gives a succinct history of the country, from its settlement to the close of the revolutionary war. The diction, in this part of the performance, by no means equals that of the exordium: "As no nation on the globe can rival us in the rapidity of our growth, since the conclusion of the revolutionary war, so none, perhaps, ever endured greater hardships and distresses, than the people of this country previous to that period.

"We behold a feeble band of colonists engaged in the arduous undertaking of a new settlement in the wilds of North America. Their civil liberty being mutilated, and the enjoyment of their religious sentiments denied them, in the land that gave them birth, they fled their country, they braved the dangers of the then almost unnavigated ocean, and sought on the other side of the globe, an asylum from the iron grasp of tyranny and the more intolerable scourge of ecclesiastical persecution.

"But gloomy, indeed, was the prospect when arrived on this side of the Atlantic.

"Scattered in detachments along a coast immensely extensive, at a distance of more than three thousand miles from their friends on the eastern continent, they were exposed to all those evils, and encountered or experienced all those difficulties, to which human nature seemed liable. Destitute of convenient habitations, the inclemencies of the seasons harrassed them, the midnight beasts of prey prowled terribly around them, and the more portentous yell of savage fury incessantly assailed them. But the same undiminished confidence in Almighty God, which prompted the first settlers of this country to forsake the unfriendly climes of Europe, still supported them under all their calamities, and inspired them with fortitude almost divine. Having a glorious issue to their labors now in prospect, they

cheerfully endured the rigors of the climate, pursued the savage beast to his remotest haunt, and stood, undismayed, in the dismal hour of Indian battle.

"Scarcely were the infant settlements freed from those dangers, which at first environed them, ere the clashing interests of France and Britain involved them anew in war. The colonists were now destined to combat with well appointed, well disciplined troops from Europe; and the horrors of the tomahawk and the scalping knife were again renewed. But these frowns of fortune, distressing as they were, had been met without a sigh, and endured without a groan, had not Great Britain presumptuously arrogated to herself the glory of victories achieved by American militia. Louisburg must be taken, Canada attacked, and a frontier of more than one thousand miles defended by untutored yeomanry, while the honor of every conquest must be ascribed to an English army.

"But while Great Britain was thus tyranically stripping her colonies of their well-earned laurels, and triumphantly weaving them into the stupendous wreath of her own martial glories, she was unwittingly teaching them to value themselves, and effectually to resist, on a future day, her unjust encroachments.

"The pitiful tale of *taxation* now commenced—the unhappy quarrel, which resulted in the dismemberment of the British Empire, has here its origin.

"England, now triumphant over the united powers of France and Spain, is determined to reduce to the condition of slaves her American subjects.

"We might now display the legislatures of the several States, together with the general congress, petitioning, praying, remonstrating; and, like dutiful subjects, humbly laying their grievances before the throne. On the other hand, we could exhibit a British parliament, assiduously devising means to subjugate America, disdaining our petitions, trampling on our rights, and menacingly telling us, in language not to be misunderstood,

'*ye shall be slaves.*' We could mention the haughty, tyrannical, perfidious Gage, at the head of a standing army; we could show our brethren attacked and slaughtered at Lexington; our property plundered and destroyed at Concord! Recollections can still pain us, with the spiral flames of burning Charlestown, the agonizing groans of aged parents, the shrieks of widows, orphans and infants!

"Indelibly impressed on our memories, still lives the dismal scene of Bunker's awful mount, the grand theatre of New England bravery, where slaughter stalked grimly triumphant; where relentless Britain saw her soldiers, the unhappy instruments of despotism, fallen in heaps, beneath the nervous arm of injured freemen!

"There the great Warren fought, and there, alas! he fell! Valuing life only as it enabled him to serve his country, he freely resigned himself, a willing martyr in the cause of Liberty, and now lies encircled in the arms of glory:

> "'Peace to the patriot's shade—let no rude blast
> Disturb the willow that nods o'er his tomb;
> Let orphan tears bedew his sacred urn,
> And fame's loud trump proclaim the hero's name,
> Far as the circuit of the spheres extends!'

"But, haughty Albion, thy reign shall soon be over. Thou shalt triumph no longer; thine empire already reels and totters; thy laurel even now begins to wither and thy fame decay. Thou hast, at length, roused the indignation of an insulted people; thine oppressions they deem no longer tolerable.

"The 4th day of July, 1776, has now arrived, and America, manfully"—the young orator does not now regard America personified a female—"*manfully* springing from the torturing fangs of the British lion, now rises majestic in the pride of *her* sovereignty"—now he does—"and bids her Eagle elevate his wings!

"The solemn Declaration of Independence is now pronounced,

amidst crowds of admiring citizens, by the supreme council of the nation, and received with the unbounded plaudits of a grateful people! That was the hour when heroism was proved—when the souls of men were tried!

"It was then, ye venerable patriots"—he here addresses the revolutionary soldiers present—"it was then you lifted the indignant arm, and unitedly swore to be free! Despising such toys as subjugated empires, you then knew no middle fortune between liberty and death!

"Firmly relying on the protection of Heaven, unwarped in the resolution you had taken, you then, undaunted, met, engaged, defeated the gigantic power of Britain, and rose triumphant over the aggressions of your enemies!

"Trenton, Princeton, Bennington and Saratoga were the successive theatres of your victories, and the utmost bounds of creation are the limits of your fame! The sacred fire of freedom, then enkindled in your breasts, shall be perpetuated through the long descent of future ages, and burn, with undiminished fervor, in the bosom of millions yet unborn!

"Finally, to close the sanguinary conflict, to grant America the blessings of an honorable peace, and clothe her heroes with laurels, Cornwallis, at whose feet the kings and princes of Asia have since *thrown* their diadems, was compelled to submit to the sword of Washington!"

The faults of this portion of the address, in point of style, are certainly very numerous; but the most critical reader will see the most clearly its intrinsic excellencies. The faults are not those of a weak mind, but of a mind of powerful and independent thought. The thoughts, in fact, are, or rather were then, quite original and apposite to the occasion; but the expression, like that of all young writers, is rendered less forcible by a boyish attempt at too great strength.

The second division of the discourse, which introduces the subject of our national polity, a topic, which, in the introd c-

tion, the author had modestly declined, is characterized by a more sober style of thinking and a less bombastic diction, though the general tenor of it is still too dazzling and sentimental: ("The great drama is now completed; our Independence is now acknowledged; and the hopes of our enemies are blasted forever. Columbia is now seated in the Forum of nations; and the empires of the world are amazed at the bright effulgence of her glory.)

"Thus, friends and citizens, did the kind hand of overruling Providence conduct us, through toils, fatigues and dangers, to Independence and Peace. If piety be the rational exercise of the human soul, if religion be not a chimera, and if the vestiges of heavenly assistance are clearly traced in those events which mark the annals of our Nation, it becomes us, on this day, in consideration of the great things which have been done for us, to render the tribute of unfeigned thanks to that God, who superintends the universe, and holds aloft the scale that weighs the destinies of nations.

"The conclusion of the Revolutionary war did not accomplish [he means, *constitute*, or *complete*] the entire achievements of our countrymen. Their military character was then, indeed, sufficiently established; but the time was coming which should show their political sagacity — their ability to govern themselves.

"No sooner was peace restored with England (the first grand article of which was the acknowedgment of our Independence) than the old system of confederation, dictated, at first, by necessity, and adopted for the purposes of the moment, was found inadequate to the government of an extensive empire. Under a full conviction of this, we then saw the people of these states engaged in a transaction which is undoubtedly the greatest approximation towards human perfection the political world ever witnessed, and which, perhaps, will forever stand in the history of mankind without a parallel. A great Republic, composed

of different states, whose interests in all respects could not be perfectly compatible, then came deliberately forward, discarded one system of government and adopted another, without the loss of one man's blood.

"There is not a single government now existing in Europe, which is not based in usurpation, and established, if established at all, by the sacrifice of thousands. But, in the adoption of our present system of jurisprudence, we see the powers necessary for government voluntarily flowing from the people, their only proper origin, and directed to the public good, their only proper object.

"With peculiar propriety, we may now felicitate ourselves on that happy form of mixed government under which we live. The advantages resulting to the citizens of the Union are utterly incalculable; and the day when it was received by a majority of the States shall stand on the catalogue of American anniversaries second to none but the birth-day of Independence.

"In consequence of the adoption of our present system of government, and the virtuous manner in which it has been administered by a Washington and an Adams, we are this day in the enjoyment of peace, while war devastates Europe. We can now sit down beneath the shadow of the olive, while her cities blaze, her streams run purple with blood, and her fields glitter with a forest of bayonets. The citizens of America can this day throng the temples of freedom, and renew their oaths of fealty to independence, while Holland, our once sister Republic, is erased from the catalogue of nations; while Venice is destroyed, Italy ravaged, and Switzerland—the once happy, the once united, the once flourishing Switzerland—lies bleeding at every pore!

"No ambitious foe dares now invade our country. No standing army now endangers our liberty. Our Commerce, though subject in some degree to the depredations of the belligerent powers, is extended from pole to pole; our Navy,

though just emerging from non-existence, shall soon vouch for the safety of our merchantmen, and bear the thunder of freedom around the ball. Fair Science, too, holds her gentle empire amongst us, and almost innumerable altars are raised to her divinity, from Brunswick to Florida. Yale, Providence, and Harvard, now grace our land; and Dartmouth, towering majestic above the groves which encircle her, now inscribes her glory on the registers of fame. Oxford and Cambridge, those oriental stars of literature, shall now be outshone by the bright sun of American science, which displays his broad circumference in uneclipsed radiance!"

Such is the second division of this interesting speech, and the reader will no doubt say, or be ready to admit, that, after so many very sober and sensible paragraphs, so grandiloquent and turgid a termination is an unwished-for blemish.

The orator now proceeds to pay a passing tribute, if not more than a passing tribute, perhaps a premeditated debt of gratitude, to the heroes of the revolution: "Pleasing, indeed, were it here to dilate on the future grandeur of America; but we forbear, and pause for a moment to drop the tear of affection over the graves of our departed warriors. Their names should be mentioned on every anniversary of Independence, that the youth of each successive generation may learn not to value life, when held in competition with their country's safety.

"Wooster, Montgomery, and Mercer fell bravely in battle, and their ashes are now entombed on the fields that witnessed their valor. Let their exertions in our country's cause be remembered, while liberty has an advocate, and gratitude has a place in the human heart.

"Greene, the immortal hero of the Carolinas, has since gone down to the grave, loaded with honors, and high in the estimation of his countrymen. The courageous Putnam has long slept with his fathers, and Sullivan and Cilley, New Hamp-

shire's veteran sons, are no more remembered among the living.

"With hearts penetrated by unutterable grief, we are at length constrained to ask, where is our Washington? where the hero who led us to victory? where the man who gave us freedom? where is he, who headed our feeble army, when destruction threatened us, who came upon our enemies like the storms of winter, and scattered them like leaves before the Borean blast? Where, O! my country! is thy political savior? Where, O! humanity! thy favorite son?

"The solemnity of this assembly, the lamentations of the American people, will answer, 'Alas! he is now no more—the mighty is fallen!'

"Yes, Americans, Washington is gone! He is now consigned to dust, and sleeps in 'dull, cold marble!'

"The man who never felt a wound but when it pierced his country—he who never groaned but when freedom bled—is now forever silent!

"Wrapped in the shroud of death, the dark dominions of the grave long since received him, and he rests in undisturbed repose! Vain were the attempt to express our loss—vain the attempt to describe the feelings of our souls? Though months have rolled away, since his spirit left this terrestrial orb, and sought the shining worlds on high, yet the sad event is still remembered with increased sorrow. The hoary-headed patriot of '76 still tells the mournful story to the listening infant, till the loss of his country touches his heart, and patriotism fires his breast. The aged matron still laments the loss of the man, beneath whose banners her husband has fought, or her son has fallen. At the name of Washington, the sympathetic tear still glistens in the eye of every youthful hero. Nor does the tender sigh yet cease to heave the fair bosom of Columbia's daughters:

'Farewell, O Washington, a long farewell!
Thy country's tears embalm thy memory;
Thy virtues challenge immortality,
Impressed on grateful hearts, thy name shall live,
Till dissolution's deluge drown the world.'"

Having paid his regards to the dead, he now turns his attention to the living: "Although we must feel the keenest sorrow, at the demise of our Washington, yet we console ourselves with the reflection, that his virtuous compatriot, his worthy successor, the firm, the wise, the inflexible Adams, still survives. Elevated by the voice of his country to the supreme executive magistracy, he constantly adheres to her essential interests, and with steady hand draws the disguising vail from the intrigues of foreign enemies, and the plots of domestic foes.

"Having the honor of America always in view, never fearing, when wisdom dictates, to stem the impetuous torrent of popular resentment, he stands amid the fluctuations of party and the explosions of faction, unmoved as Atlas,

'While storms and tempests thunder on its brow,
And oceans break their billows at his feet.'"

The external relations of the United States, and the "foreign policy" of the orator, are next set off with uncommon spirit "Yet all the vigilance of our Executive, and all the wisdom of our Congress, have not been sufficient to prevent the country from being, in some degree, agitated by the convulsions of Europe. But why shall every quarrel on the other side of the Atlantic interest us in its issue? Why shall the rise or depression of every party there produce here a corresponding vibration? Was this continent designed as a mere satellite to the other? Has not nature here wrought all her operations on her broadest scale? Where are the Mississippis and the Amazons, the Alleghanies and the Andes of Europe, Asia and

Africa? The natural superiority of America clearly indicates that it was designed to be inhabited by a nobler race of men, possessing a superior form of government, superior patriotism, superior talents, and superior virtues.

"Let the nations of the East vainly waste their strength in destroying each other. Let them aspire at conquest, and contend for dominion, till their continent is drenched in blood. But let none, however elated by victory, however proud of triumph, ever presume to intrude on the *neutral position* assumed by our country."

The speaker, though at that time not an enemy to England, allowed himself to fall into the popular style of remark in his allusion to that country; but for France, it seems, then in the midst of her revolution, he had no affection. Both sides of the Republic, in fact, the Directory and the "Pilgrim of Egypt," were alike worthy of his rebuke: "Britain, twice humbled for her aggressions, has at length been taught to respect us. But France, once our ally, has dared to insult us! She has violated her treaty obligations—she has depredated our commerce —she has abused our government, and riveted the chains of bondage on our unhappy fellow-citizens! Not content with ravaging and depopulating the fairest countries of Europe; not yet satiated with the contortions of expiring republics, the convulsive agonies of subjugated nations, and the groans of her own slaughtered citizens—she has spouted her fury across the Atlantic, and the stars and stripes of the United States have almost been attacked in our harbors! When we have demanded reparation, she has told us, 'Give us your money and we will give you peace.' Mighty nation! Magnanimous republic! Let her fil her coffers from those towns and cities which she has plundered, and grant peace, if she can, to the shades of those millions whose death she has caused.

"But Columbia stoops not to tyrants; her spirit will never cringe to France; neither a supercilious, five-headed Directory,

nor the Pilgrim of Egypt, will ever dictate terms to sovereign America. The thunder of our cannon shall insure the performance of our treaties, and fulminate destruction on Frenchmen, till the ocean is crimsoned with blood, and gorged with pirates!"

The peroration of a discourse, according to the rhetoricians, should at least never be feeble, but respectably able and even dignified, if not strong. The college orator seemed to know the virtue of this rule. Taking the popular side of the French question, as it then stood, he closes his performance with considerable emphasis of style, and doubtless at the top and bottom of his then splendid voice: "It becomes *us*, on whom the defence of our country will ere long devolve, this day most seriously to reflect on the duties incumbent upon us. Our ancestors bravely snatched expiring liberty from the grasp of Britain, whose touch is poison. Shall we now consign it to France, whose embrace is death? We have seen our Fathers, in the days of our country's trouble, assume the rough habiliments of war, and seek the hostile field. Too full of sorrow to speak, we have seen them wave a last farewell to a disconsolate, a woe-stung family. We have seen them return, worn down with fatigue, and scarred with wounds; or we have seen them, perhaps, no more. For us they fought—for us they bled —for us they conquered. Shall we, their descendants, now basely disgrace our lineage, and pusillanimously disclaim the legacy bequeathed to us? Shall we pronounce the sad valediction to freedom and immortal liberty on the altars our fathers have raised to her? No! The response of the nation is, 'No!' Let it be registered in the archives of Heaven. Ere the religion we profess, and the privileges we enjoy, are sacrificed at the shrine of despots and demagogues — let the sons of Europe be vassals; let her hosts of nations be a vast congregation of slaves; but let us, who are this day free, whose hearts are yet unappalled, and whose right arms are yet nerved

for war, assemble before the hallowed temple of American freedom, and swear, to the God of our fathers, to preserve it secure, or die at its portal!"

Such, then, is the first oration of Daniel Webster; and it will furnish a lesson of great value to every young man, who will take the pains to study it carefully, and compare it, as to style and thought, with the orator's most able and celebrated efforts. To young men, whose opinion of their own abilities is raised too high, it will clearly show, that even Webster, at their age, could write bombast and empty declamation; and that they, unless more than his equal, in the native endowments of their minds, are probably the authors, when they write what they and their admirers most admire, of still more empty declamation, and a yet more sonorous bombast. To young men, who have a modest opinion of their own talents, and who are disposed to be discouraged by the faults they witness in themselves, this oration will show, that the greatest orator of America, and the greatest mind of the age, could indite puerilities when himself a boy.

This first effort, however, is not to be disparaged too far. Without any disparagement, but left without remark to make its own impression, it might induce a superficial reader to suppose, that the talents of the college junior were overrated by his early friends, or that his mature productions have reflected an unreal splendor upon the promise of his youth. We are inclined, indeed, to glorify every peculiarity, if not every act, of the unripe youth, if they are subsequently the peculiarities and customary acts of the great and celebrated man. Still, after viewing the matter on both sides, it must be acknowledged, that, while the diction of this performance is exceedingly faulty, its faults are those of a very vigorous mind; and that the strength of the thoughts, regarded individually, and their comprehensiveness taken as a whole, are clearly the attributes of a person, whose life was not to be measured by its years.

If the philosophical reader, who wishes to study the character of the man in the characteristics of the boy, will trace out the thought of the speech, and make a sketch of its topics, he will see many proofs, that the elements of the great orator existed from the first. He will see that the general plan of the oration is very good, and even skillful; that the course of the argument is natural in itself and well managed; that the allusions to history, as well as those made to passing events, indicate a wide-reaching mind; that that mind, indeed, was not customarily occupied with the trivial concerns immediately about it, but going out, even then, to think upon, to study, to comprehend, the world. If Daniel Webster, at any time within the last twenty years, ever saw this juvenile effort, it must have made him smile; for in his present style, the style of his best days, every weakness in his early composition has become a power, and in the place of nearly every blemish he has left a grace.

During his fourth year in college, he studied Intellectual Philosophy, Moral Philosophy, and the Law of Nations. These studies made a deep and lasting impression on his mind. They suited his taste; and his masterly reason and penetration were equal to their utmost demands. What an interesting spectacle, to witness even in imagination Daniel Webster sounding the depths and measuring the heights and breadths of the human mind by entering into and studying his own! Was there ever a mind more worthy of being made the example, the paragon, of the general mind of man? Was there ever a man better able to fathom, and survey, and comprehend whatever is comprehended in the mind? Plato and Aristotle devoted their lives to this science of sciences; and their researches have ever since been, to all nations, the groundwork of what is known in this department of knowledge; but neither Aristotle, with his subtle logic, nor Plato, of sublime and universal genius, was better qualified by nature to go down into the lowest depths of

this incomparably profound and important study, and discover in it everything that can be discovered, understood, or known. We have not the proof, however, that young Webster undertook the study with any zeal that could promise to make a philosopher of the highest grade. Long before he came to it, he had marked out a course of life, which called him to other studies more closely related to the profession of his choice. It was for this reason, that, while he was quite equal, if not more than equal, in metaphysical pursuits, to any student ever connected with his college, his preëminence was altogether more decided in the department of natural and international law. Here, as in oratory, he had no competitor. By universal con cession, he was solitary and alone. No class-mate pretended to be his equal. Mastering the elements of moral science suf ficiently to lay a broad foundation for this broadest and most beautiful of the legal studies, and acquiring enough of the philosophy of mind to teach him how to build, he read the Law of Nature and of Nations with all possible diligence, with a concentration of all his faculties, and reared a superstructure such as had never, in that institution, been reared before. Indeed, it is questionable whether a mere student in college, in this country or in any other, was ever more thoroughly read in this science, or understood its principles so well.

His chief study, neverthless, was still oratory; and to this end he read history, poetry, and general literature with increasing appetite and success. He was constantly grasping after and trying to understand the great practical questions of the day. He made himself thoroughly acquainted with everything pertaining to his country's annals, from the first landing at Jamestown and Plymouth to the Revolution, and from the Revolution to his own time. He looked with almost a man's mind upon the external relations of the country, and comprehended the bearings of other governments upon it, and saw what its own policy, as dictated by its history and position, ought to

be. He studied other countries, their origin and progress, their relative position in the family of nations, their domestic policies and external views, their manners, their customs, and their laws. Not, indeed, that he pursued and mastered these subjects as he did in after life; but he began to look in those directions, and to keep his mind upon such topics, as those to which he was most inclined; and his knowledge, as well as his judgment, in all subjects of this nature, was far above what could have been expected of a youth but a few months beyond his eighteenth year.

The oration, to which some attention has been given, had raised him as a speaker incomparably above the level of his class-mates; and now, in his senior year, he was called upon, by the unanimous voice of his class, and by the general desire of the college, to come before the public in another performance decidedly more difficult of success. A senior, who had been a favorite in the institution for some time, had died; a very deep and general sensation had been produced; and an orator was demanded, who, while he should speak of the deceased as a brother of his own band, should also have the ability, not likely to be possessed by a college student, to rise to a level of the feeling caused by a sudden and lamented death. On any other occasion, an intelligent and generous audience are always prepared to make every allowance for those extravagances of style, which seem to be the common characteristic of all youthful speakers; but death, and particularly the death of a promising young man, just in the primrose path of hope, is too serious a thing to admit of being treated in a very faulty manner. It is the daily habit of students to write exercises that are exercises simply; they write unreal declamations on unreal subjects, with a settled consciousness, that their hearers will regard them barely as juvenile imitations of realities; and they are apt to form their style of writing, and of speaking, after an ideal, imaginative, unreal standard. Here, however,

was a real event, an event of real sorrow, which had taken hold of the hearts of all interested. No pretension, no show, no imitation, will now answer. No school-boy declamation will meet the occasion. What is to be said must be said in earnest, from the heart, in a natural, truthful, real manner. Who, then, of all the students of that college, is qualified to stand up before a critical audience, sensitive by education, and saddened by so sudden and so positive an affliction? On whom was every eye to turn as the person most fit, perhaps as the only person fit, for the difficult and melancholy duty? There can be but one answer. The choice must fall, as it did fall, on Daniel Webster; and, according to the traditions still existing, the eulogy pronounced by him, at this time, was far beyond the expectations of those, who had heard him frequently on other subjects. He seemed to have completely thrown off the boy and put on the man. He entered, with all his soul, into the reality of the general sorrow. No ambitious soaring, no reaching after far-fetched thoughts, no extravagance of expression, none of his ordinary grandiloquence, appeared to have been left upon him, or about him. With the simplicity of real feeling, and with the soberness and pathos of actual life, he proceeded directly to his mournful task, and spoke with the fervor and eloquence of a master. His success was unbounded. During the delivery, the fall of a pin could have been heard at any moment; a dense audience were carried entirely away and kept spell-bound by the magic of his voice and manner; and when he sat down, he left a thousand people weeping real tears over a heart-felt sorrow. It is reported, that there was not a dry eye in all the vast congregation, which the event and the fame of the orator had brought together. It is also said, on good authority, that, for years after he left college, parts of this eulogy were frequently spoken on the stage for declamation, and seldom without drawing tears.

A few months more, and the time arrived, the period of the

greatest interest and moment, when the student was to leave the classic halls of his college, and try his fortunes in the world. Twenty-eight young men, who had studied and recited with him daily for four years, were to go out with him. It is natural that the reader should wish to know who those twenty-eight young men were, as, by looking at the list, it may be seen how nearly the most distinguished member of the class was approached, in after life, by any other of the number. The list is, of course, still preserved on the books of the institution; and it is here presented as it has been given by the college to the public: "Alpheus Baker, James Henry Bingham, Lemuel Bliss, Daniel Campbell, John Dutton, William Farrar, Habyah Weld Fuller, Charles Gilbert, Elisha Hotchkiss, Abner Howe, Ebenezer Jones, David Jewett, Joseph Kimball, Sanford Kingsbury, Aaron Loveland, Simeon Lyman, Thomas Abbott Merrill, Josiah Noyes, John Nye, Daniel Parker, Nathaniel Shattuck, Elisha Smith, William Coit Smith, Asahel Stone, Matthew Taylor, Caleb Jewett Tenney, Samuel Upham, and Jabez B. Whitaker.

These were his class-mates. All these pursued the same studies, under the same teachers, in the same college. Around each of them, and all of them, were the hopes of parents and professors; each and all of them engaged an interest, a feeling, that always accompanies young men at school, and goes out predicting their future eminence before they have left the walls of the institution; each and all of them gave to their friends, and to those who knew them at home, different degrees of hope, but in every case sufficient to make them prominent in the places where their parents and friends resided. But, with one or two exceptions, which of their names, would have been known at this day, had they not been called out by the unequaled greatness, by the unbounded celebrity, by the universal fame of him, who was known to them simply as their class-mate, Daniel Webster?

On commencement day, Daniel Webster, strangely deviating from his customary topics, pronounced an oration connected with natural science. The only reliable notice of this performance, now extant, is contained in a memoir made by Prof. Alexander, of Princeton, of a journey he took in the summer of 1801, through portions of New England. He visited Dartmouth; and on his way there, he fell in with the father of the under-graduate: "In passing from Massachusetts over the mountains of New Hampshire, I lodged within a few rods of the house of a farmer, the father of the Hon. Daniel Webster. The old gentleman came over to the tavern in the morning and chatted for half an hour. Among other things, he said that he had a son at Dartmouth, who was about to take his bachelor's degree. The father was large in frame, high-breasted and broad-shouldered, and, like his son, had heavy eyebrows. He was an affable man, of sound sense and considerable information, and expressed a wish that I might be acquainted with his son, of whom, it was easy to see, that he was proud." Who could blame him?

The speech is alluded to, by the venerable Professor, in the briefest manner: "At the Dartmouth Commencement, Gen. Eaton, of eccentric memory, was the marshal of the day, and was unceasing in busying himself about the order of the procession to the church, giving to each graduate, of every college, the place due to his seniority. Among the speakers was young Daniel Webster. Little dreaming of his future career in law, eloquence, and statesmanship, he pronounced a discourse on the recent discoveries in chemistry, especially those of Lavoisier, then newly made public."

It is not so certain what was the character of the young man's dreams, notwithstanding this singular selection of a subject. He knew, he must have known, by his previous success in speaking, and by what his heart told him, that he was to be an orator, and that oratory was to be to him the art of arts, the

great study and business of his life, his highway to honor. But he shrunk, as when a school-boy at Exeter, from the first great occasion, where he was to prove, or should have proved, the nature and grandeur of his talent.

If this is not the solution of the question, it may be found in the fact, that, at the same commencement, he had had another duty to perform, which had given him a better scope for exerting himself in his great vocation. The most numerous and creditable society of the institution, styled "The United Fraternity," had chosen him as its orator. He had addressed them on the day previous to commencement. This speech, judged from its title and the slight notices of it now extant, not only coincided with the known predilections of his genius, but entirely confirmed the universal judgment of its originality and power. It was on "The Influence of Opinion;" and it is yet spoken of, by aged persons in the neighborhood of Dartmouth, who were so fortunate as to hear it, as a performance quite significant of his coming fame. Who can tell, that his celebrated allusion to the same topic, in his speech on the Greek Revolution, was not the mature expression of the thought here first conceived? It was a remark of Seneca, that "youth must prepare what age must use;" and Burke has somewhere said, that his "acts as a man were the working out of his thoughts as a boy." Both Seneca and Burke are sustained by the common experience of great men; and it is a natural and interesting inference that the patriotic eloquence of 1823 was but a reproduction, so far as this topic goes, of the best thoughts of an earlier day. Be this as it may, the press of that day still reports, that "a numerous audience manifested a high degree of satisfaction at the genius displayed," and that the address was characterized by that "elegance of composition and propriety of delivery," for which, while yet a youth, he had become distinguished.

Mr. Webster was once asked, by a particular friend, respecting

his personal appearance about the time of his leaving college. "Long, slender, pale, and all eyes," was his answer; "indeed," he added, "I went by the name of 'All-Eyes' the country round." A lady, now living near Hanover, gives a fuller description of his general aspect at this time. According to her recollection, he was "slender, and evidently had a feeble constitution. He was a brunette in complexion; his hair was as black as jet; and when it was turned back, there was displayed a forehead that always excited admiration. His dark eyes shone with extraordinary brilliancy; and when engaged in agreeable or amusing conversation, he wore a smile that was bewitching, and showed teeth as white as pearls."

On the afternoon of the 26th day of August, 1801, in the Congregational Meeting-House, of the town of Hanover, New Hampshire, Daniel Webster received at the hands of the Faculty of Dartmouth College, and by vote of the Board of Trustees of the institution, his diploma of graduation, which conferred upon him his first honorary title. He is now no longer merely Daniel Webster. He is no longer to be known as the son of Colonel Ebenezer Webster, of Salisbury, a revolutionary officer, and a judge of some notoriety. He is now Daniel Webster, A. B., a graduate of a learned university, carrying with him the honors of his college. How many a youth has toiled his ten years to attain this title to distinction! How many have valued it as more to them than health, or fortune, or even friends and kindred! How many have periled life and every earthly comfort, to obtain it; and when obtained, how have they clung to it as the richest and most enviable of their possessions! Would not so ardent a young man, one evidently so ambitious, so aspiring, as Daniel Webster, put an equally high value on it? It was for this, was it not, that he had studied, had sacrificed, had labored with his hands, had taken the hard earnings of his father, had been buoyed up by the prayers and approbation of his mother, and had spent the

brightest days of his youth in retirement from the coveted enjoyments and pleasures of the young? No, it was not for this. It was not for a piece of parchment that he had labored. It was for that, which the parchment but faintly represented. It was for the education, the discipline, the development of his faculties, implied in the language of the document; and having these, he cared nothing for the document itself. Indeed, he did not want it. He was afraid of it. He was fearful that he might rely too much upon it. He resolved to rely solely on himself. With this self-reliance proudly working at his heart, on this memorable afternoon, he enacted a scene peculiarly expressive of his character through life. Calling his class-mates by particular invitation, he proceeded to the green in the rear of the college, and there deliberately tore into a hundred pieces the honorable diploma, which had cost him the toil of years. "My industry," said the remarkable youth, "may make me a great man, but this miserable parchment cannot." Saying this, he mounts the horse which his father had sent to carry him home, and enters the great world, without a title, without an honor, single-handed and alone. Such a young man, however, is to be heard from in after days.

CHAPTER V.

WEBSTER THE LAWYER.

On returning home, the graduate of Dartmouth immediately entered his name, as a law student, with Thomas W. Thompson, in whose office, when a bare-footed boy, he had set to tell visitors where they might find his employer, when he happened to be absent.

Having, thus far, given some account of the persons who have acted parts in the education of Daniel Webster, that the thoughtful reader may see all the influences exerted upon him, while his character was being formed, it will be useful, in the same way, to say something of him who introduced the young man to his knowledge of the law. Mr. Thompson was a native of Boston, Massachusetts, a son of a Deacon Thompson, an Englishman. His mother was a Scotch woman. Removing to Newburyport, when the son was yet a lad, the father put him under the care of Samuel Moody to be fitted for college. Soon after, he entered Cambridge and graduated with high honor, perhaps the highest honor, in 1786. From this time, for several years, his fortunes were quite checkered. Entering the army, as an aid to General Lincoln, in the celebrated "Shay's Rebellion," he served to the close of the campaign with great credit. He then studied theology, intending to be a clergyman; but, on being appointed tutor at Cambridge, on account of his rare attainments and polite behavior, he reëntered the walls of the university. Subsequently, he studied law at Newburyport under Theophilus Parsons, who was styled the

Giant of the Law; and upon completing his studies, he opened an office near the residence of Colonel Webster, with whom he boarded. He at once had a lucrative practice, purchased property, married, and settled down for life. By diligent attention to business, he soon acquired a handsome fortune, an extensive reputation as a lawyer, no little fame as a state politician, and finally a seat in congress. In every post, as well as at home, he was remarkable for his industry, his acquirements, his kindness of heart, the general suavity of his manners, a sort of native eloquence in speech and conversation, and a polite regard for the feelings of others, which made him a general favorite. He died in 1819, in consequence of exposures endured in escaping from the ill-fated steamer, Phœnix, which was burnt to the water's edge at midnight. Such was the man with whom Daniel Webster first undertook the study of his profession.

The young student, however, was too poor to remain here long in quiet; and he wished, also, to earn money with which to aid his brother Ezekiel, who was still in college. Just at this time, through the influence of a personal friend, he was called to take charge of an academy at Fryeburg, in the State of Maine, where he spent nine months, which must be accounted as among the most interesting and important of his life. The most reliable statement of this part of his personal history has been given to the public by G. B. Bradley, Esq., now a resident of Fryeburg; and the reader will be ready to enter heartily into the enthusiasm with which he writes. The occasion of forming a connection with the school is very correctly stated: "Mr. Webster's connection with the academy commenced in January, 1802, and terminated in August of the same year. The circumstances that directed his course to Fryeburg, arose from an early intimacy with the family of Hon. John Bradley, of Concord, New Hampshire, whose two eldest sons, Robert and Samuel A., were then residing at Frye-

burg. Mr. Webster was graduated at Dartmouth College in 1801; his father had assisted him through his college course with considerable sacrifice and personal embarrassment, and at its close, he looked about for some employment that would enable him to pay the debts contracted in his behalf. Advised by his friend, Samuel A. Bradley, who had received his degree at the same college two years earlier, and who was then about commencing the practice of law at Fryeburg, he applied for the post of instructor in the academy, and was appointed. Mr. Bradley afterward introduced Mr. Webster to Hon. Christopher Gore, of Boston, as a student of law, who subsequently told him that he had brought him a very remarkable young man."

Mr. Webster's first entrance into Fryeburg is given us by this writer, in nearly the words which the statesman, in recently referring to it, employed himself: "In a late interview with Mr. Robert Bradley, Mr. Webster, to show the minuteness of his recollection, recalled to his mind an incident connected with his first arrival at Fryeburg. Said he, 'at that time I was a youth not quite twenty years of age, with a slender frame of less than one houndred and twenty pounds weight; on deciding to go, my father gave me rather an ordinary horse, and after making the journey from Salisbury, upon his back, I was to dispose of him to the best of my judgment, for my own benefit. Immediately on my arrival, I called upon you, stating that I would sell the horse for forty dollars, and requesting your aid in his disposal; you replied, that he was worth more, and gave me an obligation for a larger sum, and in a few days succeeded in making a sale for me at the advanced price. I well remember that the purchaser lived about three miles from the village, and that his name was James Walker; I suppose he has long since deceased.' On being told that he was still living, he said with great heartiness, 'please give him my best respects.'"

His connection with this institution, if not profitable, was honorable. When his time was out, he not only received his small pay, which was at the rate of three hundred and fifty dollars per year, but the marked respect of his patrons in a vote of thanks still left upon their academic books:

"SEPTEMBER 1, 1802.

"Voted, That the Secretary return the thanks of this Board to Mr. Daniel Webster, for his faithful services while Preceptor of Fryeburg Academy.

"WM. FESSENDEN, Secretary."

While teaching in this academy, he ardently pursued the study of the law. Borrowing a copy of Blackstone's Commentaries, he read them thoroughly, and, at the same time, reviewed several of his favorite authors. He also read, during these months, Cæsar, Sallust, Cicero, Virgil, and Horace, making himself still more familiar with the splendid passages, which, afterwards, he was always so prepared to quote. These, however, were not the whole of his labors, while preceptor at this school. He boarded at the Osgood House, the proprietor of which was then the Registrar of Deeds; and, thus getting the post of assistant, he spent many of his hours in writing out those records, which are still preserved, and which he often referred to as the most laborious work of his youth. "The *ache* is not yet out of my fingers," he used to say, "which so much writing caused them."

When out of school, and not otherwise employed, he used to spend not a little of his time on the bosom of that beautiful sheet of water, called Lovell's Pond, which lies about one mile south of the village. It was at that time full of fish; and, like Rousseau, he was in the habit of getting into a small boat, and lying out upon the water, angling and thinking, or floating along carelessly, hour after hour, and frequently from morning till

night. Those hours were by no means idle hours. They were hours of thought; and they probably exerted as great an influence on his subsequent career, as any of the time that he spent in the most ardent study at his desk.

At the close of his engagement at Fryeburg, he was joined by his brother Ezekiel; and, on horseback, then the most ordinary mode of travel, they started for the tour of Maine. "Soon after the commencement of the journey," says the writer before quoted, "while riding along on horseback, they saw a bright, new horseshoe lying in the road. Ezekiel suggested that it was worth picking up. Daniel thought it was not; his brother, however, dismounted, and carefully wrapping a new silk handkerchief about the shoe, placed it in the pocket of his coat. Some time after, on searching for his treasure-trove, he only found a sorry opening worn in the coat, through which shoe and handkerchief had jointly disappeared."

No sooner was he gone, than his remarkable talents became, for a time, the topic of general conversation; and more than one person predicted his future eminence: "While at Fryeburg," says Mr. Bradley, "he delivered an oration before the citizens on the fourth of July, and although still in his minority (if such ever was the fact) he exhibited in a marked degree the elements of his future greatness. Mr. Ketchum, of New York, in a late speech says: 'In early life, when Daniel Webster first came from college, when he first assumed the post of principal of an academy in one of the interior towns of New England, it was predicted by an intelligent citizen of that place that he would be the first man in the country.' Reference is here made to Rev. Dr. N. Porter, then one of the trustees of the academy. At about the same time two citizens of Fryeburg were discoursing on the future promise of the youthful orator, when one remarked that he should not be surprised if, before his death, he should be chosen governor of New Hampshire. The other replied that he would fill the office before five years,

if the people could appreciate him, but that so far as Mr. Webster was concerned, it would be too small business for him."

Mr. Webster never forgot his friends; and he was seldom forgotten by them. To the latest day of his life, he remembered and mentioned this beginning of his long career, his connection with the academy at Fryeburg; and the citizens of that place, as well as the surrounding country, still hold him dear in their recollection, as in that admiration which all men bestowed upon him: "As an instructor," says Mr. Bradley, "he is still held in affectionate and grateful remembrance by those who were so fortunate as to be his pupils; and in the social circle, the recollections of his vivacity, as well as dignity and refinement, are still fresh and enduring. Nor did Mr. Webster forget the scene of his first appearance on the stage of active life. Often, when relating this passage in his history, did he 'recur to pleasing recollections, and indulge in refreshing remembrance of the past'—and to the close of life, he preserved a strong regard for the friends he there found. To one of them he thus concludes a letter which I now have before me: 'I am happy to hear of your establishment, and the growth of your fame. You have a little world around you; fill it with good deeds, and you will fill it with your own glory. Yours, in love, D. W.' To another, a short time since, he sent a likeness of himself, as a 'token of early and long-continued friendship.' I have, also, in my possession, a letter of recent date, expressing his readiness to forward a public enterprise, in which some of the citizens of Fryeburg were engaged. So late as September, 1851, on being informed that the trustees were struggling to rebuild the academy, although with sadly diminished resources, he proposed, if his life was spared, and his engagements would permit, to be present at its dedication, and to deliver the opening address. While in common with his afflicted family, and, we might add, the whole family of civilized man, we profoundly and sincerely mourn that the grave has closed over

the great man of the nineteenth century, there is also mingled with our grief a selfish sorrow that his strong arm could not have been spared to assist in placing on a firm foundation the institution that was so proud to acknowledge his fostering care in early youth."

There is a fact connected with Mr. Webster's residence at Fryeburg, of a nature to encourage the young and aspiring, who have poverty to contend with, while it will convey instruction to all readers. On the books of the academy there is still this record:

"Voted, That the thanks of this Board be presented to Preceptor Webster for his services this day, and that he would accept five dollars as a small acknowledgement of their sense of his services this day performed.

"WILLIAM FESSENDEN, Secretary."

This was in 1802; and it is essential to state, that the service here acknowledged, as the writer was once told by the late Hon. Judah Dana, of Fryeburg, a trustee of the academy at the time, consisted of extra exertions at the annual exhibition of the school, including a very fine address to the citizens and students. All this, then, was performed by Daniel Webster, when unknown to the great world, for the sum of five dollars. At a later period, when known and appreciated at his true value, a similar amount of labor, perhaps not much better done, would have brought, as it has often brought, thousands to his purse. Such, youthful reader, is the worth of a reputation!

After making a brief tour through the most picturesque and important parts of Maine, whose scenery can scarcely be surpassed even in this country, Mr. Webster returned to Salisbury, and reëntered the law-office of Mr. Thompson. Having paid his board, and his other expenses, by his labors in the registrar's office, he was now possessed of more money than he

had ever had before at one time. It was all his own. He had earned it himself, and it gave him a feeling of self-reliance, which he had never felt before. But he did not keep his money. Ezekiel was still at school; and, after having paid the expenses of both, on their joint trip, he divided the remainder with his brother, when he was about starting off again for college. He had enough left, however, for all his own immediate purposes. He boarded at home, and pursued his studies with Mr. Thompson nearly without cost.

He remained with Mr. Thompson about eighteen months, during which time he probably acquired more legal learning, than most young men would have acquired in three years. He was an exceedingly hard student. He was also a judicious student. He knew what to read, and when to read, and how to read. In this respect, as perhaps in almost every other, excepting the amount of learning in the law, he was even superior to his master. It was a habit of Mr. Thompson to put into the hands of his pupils the most difficult authors first, intending, as he used to say, in this way "to break them in," and show them what they had to do. Mr. Webster dissented from this course. He told his patron, that, instead of breaking his pupils *in*, it was almost a sure way to break them *down*. The teacher and scholar could not agree; but, as in all his future career, the scholar, perfectly convinced of his own opinion, would take his own way; and his example, together with what he has often said upon the subject, has done much to bring about the reformed method, the more inductive method, of studying the law, which is now almost universally pursued.

During this residence in the office of Mr. Thompson, in addition to the regular studies of his course, he undertook to review the most important duties of the office, in college, and particularly such of them as pertained especially to the law. He read almost incessantly. From morning till night, every day for a year and a half, he read, thought, reflected, and thus filled

his mind with those facts and principles, which he was afterwards to use. When the office was crowded with clients, or visitors, or neighbors, he would sit by himself, silently perusing his author and taking notes, as if there were no other persons in the world, but the reader and the writer of the book. No matter what occurred, no matter what was said, unless he was himself addressed, there he sat, his huge eyes fixed in deep study upon the page, his mind lost in its profound, intricate, all-absorbing work. When thus engaged, he was an object of general observation to all who visited the office; and a picture of the scene, of Daniel Webster the law-student at his books, would be a picture, which any student might well wish to see on canvas, but might far better have imprinted upon his imagination, his memory, or his heart.

After completing his year and a half with Mr. Thompson, during which time he had probably about reached the level of his master's knowledge in the profession, he began to look about him for a situation suited to his demands. He looked all over New Hampshire to find a man of exactly the character to make him a fit instructor. There were several then there, whose abilities, whose acquirements, whose position, were of a very high order; but the more he thought upon the subject, and the more he compared the advantages of one man and one place with other men and other places, the more he was convinced, that he ought to find the best place and the best man, not of New Hampshire, but of the whole country. When entirely settled in this conviction, it required no great length of time to settle all that it carried with it. Boston, of course, was the place; and, though there were several lawyers in the capital of New England of nearly equal fame, the talents and learning of Governor Gore marked him out as the most proper person for the business now in hand. In the month of July, therefore, in the year 1804, Mr. Webster removed to Boston, and began what may be termed his second course as a law-

student, under one of the best masters, at the age of twenty two.

In this office, at an age comparatively mature, Mr. Webster commenced a higher life, such as he had scarcely dreamed of before. The Hon. Christopher Gore was a man of great natural strength of mind, of remarkable versatility of talent, learned in every department of his profession, an able counselor, an eloquent barrister, familiar with the broader as with the narrower fields of the law, and a statesman of clear, positive, and rather comprehensive views. With all his lore, and all his native abilities, he was no wayward genius, but a man of sound, sober, sterling common sense. Indeed, in every respect, he was truly a great man. His advice to Mr. Webster was always useful; his instructions added daily to the mass of the student's acquisitions; and his conversation was always so learned, so practical, so instructive, and yet so eloquent, that it was a continuous lesson, while it never failed to charm.

Though endowed with that wonderful power of concentration, which made him remarkable in the office of Mr. Thompson, and for which he has been celebrated ever since, Mr. Webster often found the intercourse held between Governor Gore and the great men of the day, who used to visit him, more entertaining and more immediately instructive than his books. Apart, in a corner by himself, he would nevertheless sit with his eyes upon his author, but with his mind upon the men, who used to visit his instructor, whenever they came in to talk; and, in this way, he began to look out upon the great world, into which he was soon to enter, through the free revelations of those remarkable characters, who, though a part of that world, still would thus abandon and betray it for a time. What a flood of light can be thus thrown, respecting all that more intricate and more important part of life, not known in books, upon the mind of a young man prepared and eager for it! And there never was a mind better prepared, or more eager, more in-

tensely eager, for every kind and degree of information, in regard to men and things, than that of the young man, Daniel Webster; and scarcely ever was such a mind so thoroughly, so constantly, furnished with what it craved. While yet unknown himself, he thus made an acquaintance, a sort of daily and familiar acquaintance, with many of the first characters of the age. In after life, as an example of his opportunities, in this regard, he used to tell how he became acquainted with a gentleman, whose reputation was then wide, and whose name will not soon die: "I remember one day," says the narrator, "as I was alone in the office, a man came in and asked for Mr. Gore. Mr. Gore was out; and he sat down to wait for him. He was dressed in plain gray clothes. I went on with my book, till he asked me what I was reading, and, coming along up to the table, took the book and looked at it. '*Roccus*,' said he, '*de Navibus et Nando*. Well, I read that book too when I was a boy;' and proceeded to talk not only about *ships* and *freights*, but insurance, prize, and other matters of maritime law, in a manner 'to put me to all I knew,' and a good deal more. The gray-coated stranger turned out to be Mr. Rufus King."

From July, 1804, to March, 1805, Mr. Webster remained in the office of Governor Gore; he there read in the higher departments of the law altogether; he made himself well acquainted with the common law, with maritime law, and with special pleading, reading for this latter purpose the old folio edition of Saunders. As an exercise of his skill in language, but more especially to impress facts and principles upon his memory, he translated the Latin and Norman French into good English. What is still more remarkable, he made a manuscript brief of every case in the book; and these briefs were presented to his master for inspection, who, always ready with instruction, would pour out comment after comment, and explanation upon explanation, till everything was as clear as

sunlight. This, in fact, was Mr. Gore's usual method with his pupils. It was a pleasure to him to instruct them; and his extemporaneous discourses, as Mr. Webster has said, were frequently as learned, and always more eloquent and captivating, than the book.

It was in this office, that Mr. Webster first fully learned, or first began to see with the force of a conviction, that the law is a historical science, and that if the student would understand it thoroughly, he must lay his foundation on history. At that time, Lingard, Turner, Hallam, and other similar though not equal critics, had written not a line of their celebrated works, which now lead the law-student directly and easily, along a beaten path, to the basis of his profession. The connection between law and history had not then been formed; but Mr. Webster, seeing the connection, and feeling his way along alone, by daily reading of the great historians, especially of Hume, made himself familiar, at last, with the elements of his science. The principles, which he saw were established by general concurrence and long precedent, he not only learned and fixed in his memory, as most law students try to do, but traced them back, from country to country, and from age to age, till he found their starting-points in time and their origin as ideas.

This, indeed, is what made Mr. Webster a lawyer such as he undeniably was. He was a lawyer, not of facts barely, but of reasons, able to go to the bottom of everything belonging to the law. It is this ability, founded upon this practice of thorough investigation, that makes, or will make, any man a lawyer, while nothing else will do it; and it is remarkable, that, of the vast multitude of young men, who make the law their profession, so few study it in this philosophical and thorough manner. If every law-student in the land would take up the study in this way—would take a principle of American law, for example, and trace it through our own history into the history of the mother country, then back to its introduction into the juris-

prudence of Great Britain, then still back to the older practice of the continental codes and courts, then farther and farther back to its germ in the Roman laws, where its relations to Roman civilization, and possibly its birth in the times of the Grecian lawgivers, might be clearly seen—then should we have lawyers worthy of their great profession, worthy of their country, worthy of that admiration which many receive but few merit. No language can utter the fact with due force, that, as a general rule, the law is studied, in this country, very superficially. That science, which lies at the bottom of all social knowledge, which is the exponent of the civilizations of all people, which is the only key to an understanding of the world that now is, as well as a certain index of past and future periods, and which demands the best faculties fully developed by the best of discipline, is commonly undertaken by raw youth, whose education is very limited, whose ideas of their profession are equally narrow, and whose highest ambition is gratified after a brief course of hasty and superficial study. It is for this reason that we are a nation of pettifoggers. Every city, every town, every small village, swarms with these buzzing busybodies. In all the cities, and in all the land, we have, or rather have had, occasionally, a Hamilton, a Pinckney, a Clay, a Story, to redeem the profession from utter insignificance. It was dignified, noble, in fact sublime, in the hands of Daniel Webster; and he prepared himself to elevate his calling, to the degree here acknowledged, by that deep and thorough study, for which, in the beginning of his career, he is justly noted.

This severe labor of mind, however, began to wear upon the student's physical constitution. Rest was prescribed; and to rest he added recreation. In company with a Mr. Baldwin, an eccentric but very intelligent gentleman of considerable wealth and some position, he made quite a tour, during the autumn of 1804, through various parts of New England, and extended his rambles finally as far as the Hudson river. The friends trav-

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eled in an open carriage, which gave them a fine opportunity for seeing the country, as well as for that free and familiar conversation, from which they would have been restricted in a public conveyance. On reaching Albany, they put up at a hotel at the foot of State street, where they remained a fortnight. Into what sort of society, it is natural to ask, would such a man as Mr. Taylor Baldwin, unknown in those parts, and an equally obscure law-student, be likely to find themselves, among a wealthy and rather aristocratic population, such as at that time inhabited the old Dutch metropolis? From all we know of Mr. Baldwin, he was not the man to introduce Daniel Webster into such society as his talents claimed; and from all we know of Daniel Webster, he was not the person to take up with what was positively below him. So, in this dilemma, he is doomed to be without society, or to introduce himself. The latter, however, was no difficult thing for such a young man to do. He had no sooner taken his place at the hotel, than his remarkable appearance, his dignified and graceful manners, his easy and captivating conversation, the apparently boundless extent of his knowledge and information, marked him as an object of general observation. Instead of trying to introduce himself to others, it was the desire of all to be introduced to him. Mr. Baldwin, though a man of years and self-consequence, had to act between the parties as a sort of gentleman usher to his young friend. During the journey, the relation between the travelers had been, that Mr. Webster was traveling with Mr. Baldwin. Here, where neither was known, Mr. Baldwin found himself suddenly transformed into a gentleman traveling with Mr. Webster. The law-student was now all. He was soon known by all the guests. They consisted of transient boarders and citizens, among whom were merchants and lawyers. They, learning the object of Mr. Webster's visit, and forward to show him the town and all it contained worthy of his notice, at once put him into the hands of the leading characters of the

city. In this way, he made the acquaintance of nearly every prominent citizen. He visited the Schuylers at Schuyler Place. He was at the house of Stephen Van Rensselaer, the patroon of that day, and the first man in wealth of the whole region of the Hudson. He saw the institutions, literary, social and religious; and, in the course of his short visit of fourteen days, he made himself entirely familiar with everything there was, at that time, in Albany. It was his first attempt to enter into society; and, unlike young men of ordinary abilities, who experience such difficulties in their introduction to the world, he found every door and avenue wide open, with every one within the charmed circle beckoning and pressing him to enter.

Such marked respect, such sudden popularity, would have turned the head of many a young man. It was not so with Webster. Without a particle of pride, but with his usual simplicity of manner, he received it all as if he thought that nothing extraordinary, nothing not called for, had happened. Then, when his season of recreation was over, he returned to Boston, to the office, to his deep and laborious studies, as modest, as deferential, though not quite as bashful a young man as when he left them.

Just before he had completed his course of study, while still in the office with Governor Gore, an event occurred which nearly overturned the settled plans of Mr. Webster, and which would have robbed the profession of its greatest master, the nation of its most distinguished statesman, and the world, in almost every sense, of its most illustrious man. His father still remained a judge on the New Hampshire bench. He was old and infirm, but the respect of all classes still sustained him at his post. The money he had expended, and was still spending, for the education of his sons, had so exhausted his resources, that he had been obliged to increase the mortgage upon his farm. It was the purpose, it had always been the joint promise of Ezekiel and Daniel, at the very first opportunity

after the completion of their studies, to lift this mortgage and set their self-sacrificing and patient father free. They had long known, too, that, in his age and infirmities, he could not bear up under the pressure of a debt, as he had done when well and strong. They knew that it preyed upon his spirits; that he began to indulge in disagreeable forebodings; that he frequently mentioned to his wife, as well as to them, the prospect of his dying at last, after all his struggles, a poor and perhaps a needy man. Oftentimes, the family had been affected to weeping by his distress; and the resolution had been at such times repeated, and redoubled, by both the boys, to hasten their work, and press into active employment, that they might quiet the fears and soothe the sorrows of their parent, whom it troubled them to see thus disturbed. Now, Daniel was about through his course; now, he felt the duty and responsibility resting on him; and now, as Providence would have it, an opportunity occurred, at the nick of time, when all these pious resolutions might be redeemed. At the solicitation of the father, and by the unanimous and free consent of all concerned, Daniel was appointed clerk of his father's court, with a salary and perquisites amounting to the enviable sum of fifteen hundred dollars a year. This, in a short time, would not only pay off his father's debts, but soon bring in a competency to himself. In those days, in fact, this large salary was not barely a competency. It was wealth; and Daniel, with this situation, could look fortune in the eye, soothe the troubled heart of his good old father, and almost smooth down the wrinkles of old age. Young as he was and poor as he had always been, he may be seen, in our imagination, to leap with sudden joy at the prospect so strangely and unexpectedly opened to him.

Perhaps, reader, as we see him now, in fancy, doing what history tells he actually did—leaving the office of his patron—proceeding directly, by the shortest and quickest route, to the residence of his father—hastening into the old homestead, with-

out waiting to fasten his horse, the moment he has reached the door—perhaps, with the letter of appointment in his hand, he is going in to fall down before the aged sire, or to embrace him in his filial arms, that he may tell him in person with what gratitude he accepts the overture which the court has made.

Be this as it may, one thing history has made certain. The old man, touched by the alacrity of the son, and grateful for the independence now at last freely offered to them both, burst into tears the moment that he saw Daniel's face. His passion could not wait for ceremony: "I only mentioned it to them," said he in tearful triumph, and without a word of introduction—"I only mentioned it to them, and it was no sooner said than done!"

Daniel did not seem to be as intemperate in his joy, or in his gratitude, as the occasion appeared to warrant. In fact, he was rather embarrassed for a moment, but quickly recovered. The father noticed the manner of the son, and saw that all was not just right.

"What do you mean, Daniel," said Colonel Webster. "I know not what to make of your appearance."

"Father," said Daniel, who always knew exactly how to say what he wished—"Father, suppose I should decline this magnificent offer of their honors?"

The judge was at once perplexed. He did not relish the hint thrown out. Indeed, he was manifestly displeased, for he saw at a glance what Daniel's manner and words meant: "Do you mean to decline the appointment?" said he to Daniel.

"Most certainly, father," said the young clerk, "I cannot do otherwise."

"Cannot *do!*—cannot *do!*—what *can* you do?" said the old man, sternly.

"I can do much better, father," replied the law-student, "as I can show you, if you will listen."

"Well, my son," said the father, softening a little, "your

mother has always said, that you would come to something or to nothing, she was not sure which. I think you are now about settling that doubt for her."

Daniel began and went on with his explanation, which he concluded by pouring into his father's lap as much gold as would discharge him from all his debts, and set his heart at rest. Surprised, overwhelmed, by this sudden freak of fortune, the old man could hardly believe his eyes, but thought he was acting a character in some fairy tale, of which his son was the presiding spirit. He now wept again, and wished to know what all this could mean. Daniel was good at oratory, and could answer every demand made upon his tongue. He told him all about it. He told him, in short, how a friend of his in Boston, a man by the name of Emery, had strangely and kindly offered to let him have the money, which he was to pay back when he might find it convenient to do so; and that all the security he had given for the repayment of the loan was his naked word. At this, the old man fell to shedding tears more than ever, in which, it is said, the mother and the son had to join at last. At all events, Daniel carried the point.

The fixedness of purpose with which Mr. Webster withstood the temptation of the clerkship, was due in part to the advice and encouragement of his patron. Mr. Gore used every argument, which the occasion would naturally suggest, to dissuade him from accepting the appointment, to which, at the first, he was more than half inclined. In fact, at one time, he had made up his mind to take it, and thus end the struggle for existence, as well as gratify what he knew to be the wishes of his father. No man, perhaps, of all his acquaintance, was better qualified to overturn this resolution, than Mr. Gore. He had Mr. Webster's confidence to the utmost. He had been to him, not so much a master, as a familiar friend. He was thoroughly impressed with the extraordinary talents of his pupil, and used to say to his visitors, that the name of that pupil

would one day be a name of which the whole country would be proud. He was himself emphatically a lawyer—a lawyer by choice, by education, by long-practice, and by natural inclination and feeling; and he was exactly the man to portray the good points of the profession in such a manner, so to draw out the picture of his ideal, as to seize upon the imagination, rouse the enthusiasm, and determine the resolution of a young man of Mr. Webster's high ambition and elevated sentiments. All these advantages, and every other possessed by him, he had used upon his pupil, with all the fervor and eloquence that belonged to him in conversation. He had succeeded entirely in changing the purposes of Daniel; and Daniel himself, when he sat down with his father, at the time just mentioned, to talk the matter over, had the satisfaction of being able to add Mr. Gore's advice to his own views, which had thus become settled never again to be disturbed or diverted.

On returning to Boston, he was received with open arms by all his new friends; and, after spending a few weeks more in the office, he was presented by Governor Gore to the court for admission. This was in the month of March, 1805; and the governor, on offering his name, is said to have departed somewhat from the usual manner of such proceeding, and to have made a brief speech on the extraordinary abilities and promise of the candidate. Webster was admitted; and from this hour, he is no longer a youth, a school-boy, a preceptor, or a law-student, but a man, a member of the bar, a lawyer of Massachusetts.

Perhaps no lawyer of Massachusetts, or of any other state, ever entered the profession under so enviable a prestige. As a student, he had become well acquainted with the lawyers of the city; and Mr. Gore's eulogy, which was from his heart and very eloquent, at once gave him a reputation in advance of the ordinary probation. On the day of his admission, he had a better standing, and was better known, than some old lawyers then in practice in the metropolis. He was actually courted

by those of the profession, who foresaw his future eminence, and who perceived that his good will might be of use to them in coming time. His friends wrote to him from New Hampshire to return home, by all means, and settle among his first acquaintances, who thought they had the first right to him. They urged him to come on the ground of policy. They told him, that the members of his family, and the people of his state, would naturally feel an obligation to stand by him, and a pride in giving him success, which he could not expect from strangers.

On the other hand, the citizens of Boston were advising him, at the same time, to remain with them, where his talents would have a wider field of action, and where competition would be more likely to draw him out and thus develop him. They insisted too, that he ought to think something of the chances of emolument, which, in a new and sparsely-settled country, like New Hampshire, would be few and seldom, but would be abundant in the metropolis of New England. Several of the leading merchants of the city offered him their patronage, one firm alone actually putting into his hands a collecting business amounting to over thirty thousand dollars.

Between these two offers, Mr. Webster could not long hesitate, when he took into consideration the arguments of both parties; but there was an element in the question, which neither his friends in New Hampshire, nor his friends in Boston, had thought to mention. It was an element, too, which had more weight with him, it seems, than all other considerations. It was the fact, that his good old father, who had spent his life for his children, who had periled his property to send his two boys to college, was now very infirm, and wished the younger son to be with him, or near him, in his declining years. This wish brought the ambition and filial love of a very ambitious, and a very affectionate young man, into opposite sides of the same scale. Which, reader, will outweigh the other? No one, who

knows the heart of the young man, or who ever knew the heart of the same man through every period of his life, need hesitate to answer. He, who, to the latest hour, could never write the name of his father, and who never did write it, without putting after it a point of admiration, could not long debate, could not and did not debate at all, the question between ambition and affection. The point was immediately decided. He at once left Boston, left his interesting and useful associations, left his most numerous and most powerful friends, left all the pictures that had been drawn out to his warm imagination, left the entreaties of all who knew him, to begin his career in a comparative wilderness, among a population who could not then entirely appreciate nor half employ his talents, that he might be a comfort to him, who had sacrificed his own comfort, and risked all of his worldly means, to give him the advantages of a thorough education. He went to Boscawen and opened an office near the residence of his father. Over his door he put up the unpretending sign, which is still preserved as a memento of a great man's start in life—"*D. Webster, Attorney.*"

In the month of March, 1805, in the twenty-third year of his age, and after a nine years' period of study, Mr. Webster here commenced, in a small but healthful and beautiful village, in the interior of New Hampshire, the practice of his profession; and it is probably not too much to say of him, that, though yet but little more than a youth, he was the most remarkable individual, and the individual most marked, most spoken of, if not in the whole state, at least in that section of the state. His practice was, consequently, of very rapid growth. It began, in fact, on the day of his opening an office; and his first cause in court followed immediately this event. It was a civil suit, but a suit of considerable consequence to the litigants, though of no general interest, excepting what it derived from the notoriety of the young barrister who was to try it. The circumstances of the occasion were peculiar and interesting. It was a cause

to be tried before his own father, who still occupied his post as judge; and the sheriff of the county, Colonel William Webster, was a distant relative, who, whatever he might have heard of Daniel, had never seen him till that day. The young lawyer there met his former master, Hon. Thomas W. Thompson, as well as several other lawyers of ability and experience; and they were all on the tiptoe of excitement to listen to the maiden effort of their junior brother, about whom so many predictions had been uttered. When he came into court, he must have felt, and felt keenly, the importance of the hour to him; but, though modest in his demeanor, he did not seem to be embarrassed. His old patron, Mr. Thompson, would naturally greet him with an affectionate and hearty welcome; the older lawyers would as naturally follow the example, in form at least, if not with the same spirit; while the younger members of the bar might have had some feelings of an indescribable character, such as they would scarcely have been willing to acknowledge. There was one there, however, who, it appears, was not afraid to acknowledge, or to say openly and frankly, just what he thought and felt upon the occasion. That man was the sheriff. When he saw his kinsman coming into the audience-room, "he felt ashamed," as he said, "to see so lean and feeble a young man come into court, bearing the name of Webster." His shame, nevertheless, soon left him; and from the time that the young man walked out of court, he had more reason to be proud that his own name was Webster. In the trite but pithy language of the Hon. Mr. Russel, who heard Daniel's effort of that day, not only the lawyers, but all present, came to the conclusion, that he had "an old head on young shoulders." Indeed, contrary to the idle tales told about it in later times, this first speech of Mr. Webster's, as a specimen of oratory, was a good effort, and, as a specimen of legal tact and knowledge, was triumphant. The fact that the speech, the argument, was to be delivered in the presence of his father, who

would then and there see what all his own sacrifices had been made for, and what they had come to, undoubtedly nerved Daniel up to do his best. He always needed some motive of a powerful kind to draw out all his power; and it is equally well known, that never, when thus drawn out, did he make anything less than a grand and irresistible demonstration of his abilities.

The impression made upon the bar, by this argument, and by his general practice at the beginning of his career, is seen in the history of a criminal prosecution occurring at this time. It was a case in which a man was tried for murder; and Mr. Webster, though not yet admitted to practice before the supreme court, as the period of his candidacy had not yet expired, was appointed, by express commission of the judges, to defend the prisoner. An account of the manner in which he discharged this duty, with the attending circumstances, was many years ago given to the public: "The murder," says the writer, "was foul and horrid, perpetrated on an innocent man, a fellow prisoner for debt. They were in the same room. No provocation was given by the sufferer, or none that would, in the slightest degree, palliate the offense. The fact of killing could not be questioned; and the defense, of course, was narrowed to one point—the *insanity of the prisoner*. There were no proofs of his former insanity, but, on the contrary, the malignity of his disposition was well known to all the country around. His counsel, nevertheless, was not deterred from going on, with all these formidable circumstances to contend with. He argued, that the enormity of the deed, perpetrated without motive, or without any of those motives operating upon most minds, furnished presumptive proof of the alienation of the prisoner's mind; and even the cool deliberation, and apparent severity which he exhibited at the time the deed was done, were proofs that reason was perverted, and that a momentary insanity had come over

him. The advocate astonished the court and jury, and all who heard him, by his deep knowledge of the human mind. He opened all the springs of action, and analyzed every faculty of the mind, so lucidly and philosophically, that it was a new school for those who heard him. He showed the different shapes insanity assumed, from a single current of false reasoning, upon a particular subject, while there is a perfect soundness of mind upon every other subject, to the reasoning aright upon wrong premises, or to the reasoning wrong upon right premises, up to those paroxysms of madness, when the eye is filled with strange sights, and the ear with strange sounds, and reason is entirely dethroned. As he laid open the infirmities of human nature, the jury were in tears, and the bystanders still more affected; but common sense prevailed over argument and eloquence; and the wretch was convicted and executed. Notwithstanding the fate of the murderer, the speech lost nothing of its effect upon the people. It was long the subject of conversation in every public place; and it is often mentioned now with admiration."

During his residence in the beautiful village of Boscawen, Mr. Webster did not permit himself to devote all his time and attention to the law. His appetite for general knowledge, and his warm and active imagination, constantly led him off, in the intervals of his severer occupation, into the delightful fields of history, biography, and poetry. History he had studied profoundly and extensively; but he still wished to cultivate particular departments, that all the world, and the annals of all nations, might be perfectly familiar to him. He could not bear to hear an allusion to any event, of remote or recent date, relating to any people, barbarous or civilized, or having any relation to the events of the present day, and not entirely understand it. His reading, in this respect, was so extensive, and so thorough, that, before he was twenty-five years of age, he was able to stand his ground in conversation or debate with the

most eminent of his cotemporaries; and, from that time to the close of his long life, he is not known to have made a mistake, as a writer, or as a speaker, though speaking frequently without notes, in making historical references or quotations. In biography, too, in his knowledge of great men, ancient and modern, he here began to lay out that broad foundation, which, in after life, never disappointed him; nor can it be denied, that his study of the lives of the most illustrious of his species, to which he now gave up a great portion of his leisure hours, evidently exerted a controlling influence in the formation of his own character. It fired his ambition, enlightened his understanding, imparted to him a great many maxims of successful living, derived from the fortunes and misfortunes of the great, while it tended to check his passions, to regulate his will, and induce such habits of industry, sobriety and energy as sel dom fail in giving the greatest possible development to the faculties, and the highest elevation, at last, to their possessor. In poetry, particularly, he was at this period a very constant and careful reader. He was exceedingly fond, at this time, of the English classic poets. He perused them with a relish, and with a grasp of conception and of fancy, which filled his mind with their most charming images, and imprinted their finest passages upon his memory. Not only the poets best known, but those lying outside of the general range of readers, such as Chaucer, Spenser, and the dramatists earlier than Shakspeare, he studied daily. Shakspeare, however, as was to have been expected, was alone a study. He read him, as few do read him, criti cally, closely, philosophically, as well as for the exalted pleasure of the perusal. He read him as a pupil reads the productions of his master. He considered him as his master, as the master of all men in the department of human nature, as the great master and teacher of the English language, of English composition, and of true eloquence. He set him above every poet, ancient and modern, as the sublimest genius ever

known among mortals. His admiration of him was then as high, as supreme, as it ever was afterwards; and he is known to have regarded him, through all his career, as superior to Milton, to Sophocles, and to Homer. He was once inquired of respecting the particular play he liked best: "Always the one," said he, "that I have read last, and the others better than any thing else on earth, outside of revelation."

Mr. Webster always made an exception, as in this instance, of the bible, which he ever regarded as the most admirable and wonderful of books. At the period of his life now before us, he read this volume every day, with great reverence, but with a special design to comprehend it. As a profound, fundamental, universal lawyer, he could not neglect a production, as he often said, which contained in it the elements of all law, the first principles of human society, and the histories of the earliest forms of government. He could here trace the growth and progress of civilization from its origin. He here had, in the annals of the great empires of antiquity, the most memorable and magnificent illustrations of the different styles of government, of the several forms of human association, and of the influence and effect of nearly every system of laws and every species of legislation. Among the rest, there was one style of government, one system of laws, so peculiar, so consistent, so complete, that it demanded and received his most unqualified attention, his deepest and severest study. A theocracy established by divine omniscience, and put into actual operation among a most practical and worldly people, he considered a thing so abnormal, so out of the ordinary course, and yet so entirely authenticated as a fact, and as the greatest fact in the history of the human race, that he could not do otherwise than give to it a most careful and thorough investigation. In this way, he became a regular and unremitting student of the bible; and as he read on, and mastered the great topic of his inquiry, other topics opened up before him, and fixed his attention, till

he had formed the habit, as a professional man, of reading the scriptures consecutively and thoughtfully. This habit, mingled with the instructions of his mother, and with the recollections of his youth, now established in his mind that admiration, in his heart that reverence, for the word of God, which never left him. He has often been heard to say, that, merely as literary compositions, the psalms and the prophets have no superiors, and that the book of Job has nothing like an equal.

About this time, Mr. Webster began to write for the public press. There was a magazine then published at Cambridge, Massachusetts, known as the *Monthly Anthology*, conducted by his old friend, Joseph S. Buckminster, and supported by several gentlemen of more than ordinary standing in the republic of letters. Though the work can hardly endure a comparison with the Spectator, or the Tattler, or the Rambler, as a work of literary merit, it had merits of a high order, and is now remembered with satisfaction as a first-fruit from the garden of our literature. The biographer of Mr. Buckminster, in speaking of this review, mentions the names of the principal contributors, and the general character of their articles. When he reaches the name of Webster, he pauses long enough to pay him a special compliment: "Daniel Webster, from the rocky wilds of New Hampshire, enriched its pages with his winged thoughts." It seems, therefore, that, at this early day, when he was but about twenty-five years of age, he had begun to be celebrated as a writer; and those "winged thoughts" were such, doubtless, as he has been sending out, for half a century, into all parts of the earth, and which have been lighting down upon all men, in all departments of life, hovering over their memories, and over their imaginations, with mysterious effect.

As a specimen of his written style, at this period of his life, his Concord oration, delivered on the 4th of July, 1806, may be read with satisfaction. Though not a politician, perhaps not intending to be one, his mind naturally traveled out of his pro-

fession into the world, which was then filled with questions of a political character. Among them all, there was one question, which had formed a topic of juvenile inquiry, had gone and remained with him in the halls of college, and had come out of college with him as the topic of his daily meditations, and which was to constitute the great topic of his life. It was the constitution of his country, which he had first studied from his little handkerchief, by the side of his father and mother, and which he had continued to study with increasing interest from that day forward, to which his thoughts now turned; and the particular point of inquiry, the point of special value, was the possibility, the probability, of its preservation. The matter of his thoughts, and the style of their expression, are clearly distinguished in his own words: "When we speak of preserving the constitution," says the young orator, "we mean not the paper on which it is written, but the *spirit* which dwells in it. Government *may* lose all its real character, its genius, its temper, without losing its appearance. Republicanism, unless you guard it, will creep out of its case of parchment, like a snake out of its skin. You may have a despotism under the name of a republic. You may look on a government, and see it possess all the external modes of freedom, and yet find nothing of the essence, the vitality, of freedom in it; just as you may contemplate an embalmed body, where art hath preserved proportion and form, amid nerves without motion, and veins void of blood."

The oration, all of which ran very much in this style, and after this spirit, made a powerful impression on his audience, and was widely celebrated in New Hampshire. The newspapers of that state spoke of it in high terms: "We have seldom read," says one of them, "any production of this kind, which has contained more correct sentiments, expressed with so much felicity of fancy and purity of style. It is free from the rancorous colorings of party spirit, which are wholly inconsistent with true eloquence. *If* there is any fault in the style, it

is that the sentences, though not colloquial, are in general too sententious, and expressed with too much brevity for the flow of a public harangue." That is, though a young man of only twenty-five, he had too much thought for the number of his words!

In the month of September, 1807, after a residence of two years at Boscawen, where his health had become bad by severe study, he removed to the city of Portsmouth, where, it was thought, he would have less seclusion, and a more active and healthful manner of life. His practice, which had become good, though not lucrative, he relinquished to his brother Ezekiel, who was just from college. The elder still followed in the footsteps of the younger. So true it is, that genius is more than years, giving a man precedence contrary to the established laws of nature.

In Portsmouth, which was then, as it is now, the chief commercial city of the state, and distinguished for its good society, Mr. Webster entered into a field better corresponding to his talents. He there met a number of lawyers, most of whom he had known before, but whom he was now to meet, in daily practice, face to face. Had he been himself a lawyer of no pretensions, so close a connection would not have greatly annoyed him; he could have lived in obscurity, in the shade of their overtowering reputations, thankful for the privilege of occasionally enjoying the benefit of their counsel; but to go there and live upon their own ground, as an independent individual, to live there as their equal, to live there, perhaps, in spite of them, was a very different matter. It was a matter, however, that gave him no concern. He knew his own strength, though he was never vain of it; and his position, his rights, were soon acknowledged. The oldest and ablest lawyers of the metropolis were glad to divide with him what they could not monopolize. He was sought after, in fact, rather than repelled by them. Jeremiah Mason, and Jeremiah Smith, with other law-

yers of nearly their repute, received him with open arms; and a friendship was formed between them, which, without a day's interruption, lasted to the end of life.

The reader may wish to know what was thought of Mr. Webster, at this time, by those qualified to render a sound judgment; and it is fortunate that his reputation and character, as he was when he went to Portsmouth, have been given to the world by so competent a critic as Jeremiah Smith: "In single qualities," said Mr. Smith, "I have known men superior to Mr. Webster. Hamilton had more original genius, Ames greater quickness of imagination. Marshall, Parsons and Dexter were as remarkable for logical strength; but in the *union* of high intellectual qualities, I have known no man equal to Daniel Webster." Such was the opinion, which one great man had formed of another, who, at that time, had not made a single manifestation of all the power that was in him.

For a year, or more, prior to this period, Mr. Webster had been an occasional visitor to the house of the Rev. Elijah Fletcher, of Hopkinton, a Congregational clergyman, who was known for his piety and the patronage he bestowed upon young men. The visits became more and more frequent, till, on the eleventh of June, 1808, the Portsmouth Oracle, a newspaper of that day, appeared with the brief announcement: "Married in Salisbury, Daniel Webster, Esq., of this town, to Miss Grace Fletcher." This is all that is said respecting the most interesting event in the life of the greatest man of modern times. Such is republican simplicity!

The wife of Mr. Webster was one of three daughters, whose talents, accomplishments, and virtues were the joy of their father's house. Grace was particularly attractive, not only for her personal beauty, but for her acquirements, and still more for her amiable disposition. The three were all married in early life, one to a Mr. White, of Pittsfield, another to the Hon. Israel W. Kelley, of Salisbury, and the third to Mr. Webster,

who, till the day of her untimely death, loved and honored her with almost a devout affection.

Now Mr. Webster was fairly settled in life. He was twenty-six years of age, in improving health, well educated, happily married, a sound and thorough lawyer, and entering into an extensive practice. Having many friends, and no enemies, moral in his life, and by education religious in his sentiments, there was nothing around him, or before him, but happiness, usefulness and honor. It was the most beautiful and blissful period of his life. It was the period to which he most often looked back, in after years, with that mellow and thoughtful cast of countenance, that always characterized his serenest meditations. More than once has he attempted to tell a friend how happy he then was; how pure and peaceful his daily course; how calm and contented his repose at night; how satisfied he was with the moderate independence afforded him by his profession; with what disrelish he looked out upon the din and confusion of the troubled world; with what unspeakable delight, in the midst of what little fell to him of that world's noisy strife, he turned his eyes to his sweet home, where was the wife of his heart, where his thoughts and affections centered, and to which he trusted he might some day retreat from every worldly care, from every disturbing influence, to spend his best days in domestic quiet, with his family and his books. More than once, when the attempt has been made, and the picture has been half-drawn, has the tear run down his cheek, his lip quivered, his speech faltered, till his utterance became choked.

This portion of his life, however, was not constituted entirely of tender scenes and sentiments. In the daily practice of his profession, he met with many things of a most amusing character; and, with all his constitutional gravity, there was a vein of natural humor in him, as has been seen, that gave him the highest possible relish for what was genuinely ludicrous. Long years after this part of his career was passed, indeed, to the end

of life, he used to tell professional anecdotes connected with his stay in Portsmouth, which, while they never failed to amuse his hearers to the highest pitch, threw a flood of light on his personal history, and on the manners and customs of that early day: "Soon after commencing the practice of my profession at Portsmouth," said Mr. Webster once, when he happened to be in a story-telling mood, "I was waited on by an old acquaintance of my father's, resident in an adjacent county, who wished to engage my professional services. Some years previous he had rented a farm, with the clear understanding, that he could purchase it, after the expiration of the lease, for one thousand dollars. Finding the farm productive, he soon determined to own it; and, as he laid aside money for the purchase, he was prompted to improve what he felt certain he would possess. But his landlord, seeing the property greatly increased in value, coolly refused to take the one thousand dollars, when in due time it was presented; and, when his extortionate demand of double that sum was refused, he at once brought an action of ejectment. The man had but the one thousand dollars, and an unblemished reputation, yet I willingly undertook his case.

"The opening argument of the plaintiff's attorney left me little ground for hope. He stated that he could prove that my client hired the farm, but that there was not a word in the lease about the sale, nor was there a word spoken about the sale when the lease was signed, as he should prove by a witness. In short, it was a clear case; and I left the court-room at dinner time with feeble hopes of success. By chance, I sat at table by the side of a newly-commissioned militia officer; and a brother lawyer began to joke him about his lack of martial knowledge. 'Indeed,' he jocosely remarked, 'you should write down the orders, and get old W—— to beat them into your sconce, as I saw him this morning, with a paper in his hand, teaching something to young M—— in the court-house entry.'

"Can it be, thought I, that old W——, the plaintiff in the case, was instructing young M——, who was his reliable witness?

"After dinner the court was reöpened, and M—— was put upon the stand. He was examined by the plaintiff's counsel; and he certainly told a clear, plain story, repudiating all knowledge of any agreement to sell. When he had concluded, the opposite counsel, with a triumphant glance, turned to me, and asked me if I was satisfied. 'Not quite,' I replied.

"I had noticed a piece of paper protruding out of M——'s pocket, and, hastily approaching him, I seized it before he had the least idea of my intention. 'Now,' I asked, 'tell me if this paper does not detail the story you have so clearly told? And is it not false?' The witness hung his head with shame; and when the paper was found to be what I supposed, and in the very hand-writing of old W——, the case was lost at once. Nay, there was such a storm of indignation against him, that he even removed to the West.

"Years afterward, when visiting New Hampsire, I was the guest of my professional brethren at a public dinner; and, toward the close of the festivities, I was asked if I would solve a great doubt by answering a question. 'Certainly.' 'Well, then, Mr. Webster, we have often wondered how you knew what was in M——'s pocket!'"

During the four years next succeeding his marriage, Mr. Webster's popularity as a lawyer was constantly rising; and, at the age of thirty, when most young men are satisfied if they have begun to establish a business, his reputation was higher than that of any lawyer in New Hampshire. Almost every advantage seemed to cener in him. In the first place, his health had greatly improved; his manly frame had put on a full, round form; and he was justly celebrated, beyond any man of his time, for the combined dignity and beauty of his person. Then, intellectually, he had made daily advancement

in every variety of knowledge; he had studied, and thought, and written, almost incessantly; all his mental faculties were thoroughly awake; and every effort he had made, with tongue or pen, had been successful, giving him the invaluable prestige of never failing. But, what was even of more consequence, he had begun the world, not with a pure moral character merely, but with a name for everything noble, high and dignified; he was supposed to be incapable of a low word, a mean act, or an unworthy principle; he was looked to as a pattern of correct behavior, of sound worth, as well as of the most exalted talents; and he seemed to be determined, in every act of his life, to maintain this lofty elevation. As a lawyer, even, he would do nothing, and say nothing, whatever might be the motives, that could in any way dishonor him. He laid it down as a rule of his professional life, that he would undertake no man's cause, without first assuring himself of its being, at least in all probability, worthy of defense. He would defend no villain. Though a lawyer, and only a lawyer, he considered it his duty, and he made it his business, to defend the innocent, to help the needy, and to maintain the interests of society. The same elevated bearing distinguished him when actually engaged at court. There was no tricking, no cunning, no pettifogging, in his arguments. Seizing hold of the strong points of his case, he urged them, and them only, with all the force of his masterly abilities, and with all the learning needful, but never with false, or garbled, or distorted quotations. The facts he stated were always facts; his authorities were real authorities, acknowledged by all good lawyers; and the application he made of his citations were always fair, legitimate, and to the point. In this way, he obtained an overwhelming influence over courts and juries. They relied on his word; and it is probably true, that, in many instances, his statements had as much to do with the verdict, as the testimony of the most reliable of his witnesses. He once said in court, that, sooner than he would de-

liberately misstate a fact, or knowingly misquote an authority, or dishonorably misapply a precedent, he would lose his case; and the people everywhere, as well as the barristers and judges, believed him when he said it. It is no wonder, then, that such a man, with such principles of action, could carry all before him. It is no wonder, that his name was a tower of strength to his clients, giving them, almost certainly, the victory. It is no wonder, that, far and near, that name took wing, going to every hamlet in his native state. The best critics about him had given their decision in his favor; and the people, though not prepared, perhaps, to give an enlightened judgment of their own, could easily believe what was so abundantly demonstrated by his success:

> "Applause
> Waits on success. The fickle multitude,
> Like the light straw that floats along the stream,
> Glide with the current still, and follow fortune."

In this manner, and precisely at this time, New England began to hear of the name of Daniel Webster. We shall now see the first fruits of this popular reputation.

CHAPTER VI.

REPRESENTATIVE TO CONGRESS.

It was not to be expected, in spite of his domestic spirit and his disrelish of the turmoil of public life, that a man born amidst the excitements of one war, and beginning the world at the opening of another, when every citizen was called to think and act, could keep himself entirely clear of politics. Mr. Webster, also, was not only a lawyer, but by education, by study, by the habit of his mind, a statesman. He was better informed respecting the history, character, wants and prospects of the republic, than any man about him. His opinion was very likely to be looked for; and, such was his manly independence, he was free to give it to every one that asked it. But when a man has given an opinion, he has something at stake; and he is certain to defend himself, whenever he is called in question. Exactly in this way was Mr. Webster drawn into politics, which he had always shunned and dreaded.

The leading political question of the day was that of the policy, or impolicy, of the war with England; and this was the immediate outgrowth of the war between England and the French republic. Bonaparte, springing from the bosom of the people, had gradually risen to such power as to put under his feet the government of the people; and on the ruins of this popular government he had erected an empire, which, in the pride of his ambition, he had resolved to make universal. In the pursuit of this grand design, in which he had intoxicated the French nation with the belief, that his own aggrandizement and

their glory were identical, he had subdued nearly every nation of Europe. England and Russia, for once made friends by their common danger, were almost the only exceptions, and really the sole barriers, to his European empire. Nearly all of the great powers, however, either secretly or openly, had combined against him; but, in the general struggle, no one of them had given him so much trouble as Great Britain. By land, he could cope, and had coped, with everything that could be brought against him; but the English navy, then at the acme of its power, had taken from France most of her insular possessions, and swept her shipping from the seas. To accomplish this result, England had been compelled to employ all her naval force, and to abandon almost entirely her foreign trade, on which she depended, of course, for the greater part of her breadstuffs in a time of peace, and for immensely increased agricultural supplies in a time of war. Her vast military establishment, growing with every day's continuance of the war, had gradually drawn so much upon the rural and manufacturing districts, had transformed so many producers into wasters, that the success of all her gigantic military efforts, if not the existence of the nation, seemed to depend on such stores as could be obtained from other lands. France, at the same time, shaken by internal revolutions for more than twenty years, and exhausted by a succession of the most bloody and most expensive foreign wars, had been compelled by degrees to call her agricultural population to take arms, and thus, like England, to throw herself upon other countries for a supply of bread. This, in a pecuniary point of view, was the harvest day for America, which, even then, could export more grain and flour than all Europe combined; and it actually became the leading business of this country to carry food to the belligerent and hungry nations of the old world, and particularly to England and to France. Peace, therefore, to be maintained by a most positive neutrality, was evidently the best policy, the only good politics,

of this country. Our people, and our politicians, had a right to remain, so far as their financial interests were concerned, cool and even calculating spectators of the European struggle, to enrich and strengthen their country at the expense of a general conflict which they could neither govern nor prevent.

In every democratic country, however, the passions of the multitude, at a period of popular excitement, are more likely to get the ascendency, than the better judgment of the more sagacious and reflecting class of minds. It was so, in this country, at that time. A few years before, England had been our enemy, and France our ally, in the most illustrious and important of modern wars. This was the first thing thought of by superficial men; and this consideration alone had been sufficient, from the very opening of the French revolution, to carry the feelings of a large portion of our citizens to the side of France. This revolution of France, too, in its inception, with all its barbarities and opposition to christianity, had been called a democratic movement; and, as usual, thousands of the uninformed, honest and true-hearted as they were, had been cheated by a name. The third and perhaps the most powerful of the causes, that had thus worked together to create the public opinion of the United States, in relation to this subject, was the efforts made by a class of American infidels, led on by Thomas Paine and favored by Thomas Jefferson, which, coöperating with Voltaire, and the French atheists, who were the high-priests of the French democracy, in their attempt to overthrow the church of France, expected in this way to begin the overthrow of christianity in every land. In this manner, and chiefly for these reasons, during all the wars of the French Directory, and in the midst of the wars of Bonaparte, a majority of the American people had given their sympathies to France.

Bonaparte, waxing hotter in his hatred to England, as the final contest between him and her drew more near at hand, seeing her dependence upon foreign countries, and chiefly upon

this country, for her supplies of food, resolved to cut off those supplies at a single stroke, and thus starve her into a submission which he had not been able to compel by force of arms. While at the city of Berlin, in the midst of his victories of the German war, he issued a decree, which blockaded all the ports of England, but opened wider than ever, to the shipping of all nations, excepting England and her allies, the ports of France. This, though aimed at Great Britain, was a still heavier blow against the United States; and it was clearly the policy of the United States to join with England in repelling an attack, which, in a business point of view, gave to the two countries a common cause.

England, however, had given to our people a very grave offence. Her seamen, weary of the long war, or envious of the rich gains of the peaceful commerce of our merchantmen, had been deserting the English navy, and entering into the American trade, in large numbers; and the sea-faring population of Great Britain, who had had no connection with the British maritime service, had numerously followed this example. England, alarmed at these desertions from her navy, and equally alarmed at the loss of so many of that class of her people, from which her navy, in any emergency, was to be supplied, saw no other alternative, than to pass laws, and send out orders to her naval officers, to reclaim all such of her refugee citizens, and compel them to return to their allegiance, wherever they might be found. Such laws had been passed; but their execution, easy in respect to nations speaking other languages and marked by different costumes and manners, was exceedingly difficult in relation to our own; and the result often was, without doubt, with all the care possible in such a case, that hundreds if not thousands of American citizens, mistaken for Englishmen in disguise, were thus taken from their own vessels and thrust into the English men-of-war. Though the English government offered to return every American citizen thus abducted, whose

citizenship could be proved, the haters of England, those cheated by the French use of the word democracy, and the American infidels, constituting the republican or democratic party in the days of Jefferson, overlooking the sublime position of Great Britain at that time, as the great and last bulwark of christianity, overlooking the extinction of everything democratic in France under the imperial ambition of Bonaparte, and secretly favoring the infidels of America, whose success, it was supposed, would tend to widen the distance in our government between church and state, were willing enough to brook the insult and the injury of the Berlin decree, but took fire at once against England for her attempt, carelessly executed, it is confessed, to recover the services of her own citizens in a time of uncommon need.

Actuated by such motives, the party in power, under the administration of Jefferson, instead of going forward to keep up our lucrative commerce with Great Britain, and with her allies, in spite of the French embargo, which France had not navy enough to enforce against us, or against any other nation at peace with England, had sent an ambassador to Paris and become the ally of France. They had taken the weaker and the wicked side, when the material welfare of their country, and a just regard for the cause of morality and religion throughout the world, in a word, when duty and interest both, had demanded the utmost stretch of charity toward England, in her day of embarrassment and peril, since that very peril she was suffering not more for herself, than for the highest and holiest interests of mankind. Not daring, however, in a manly way, if war with England was right and just, to make an open declaration of war, and meet the enemy upon an open sea, in a weak and cowardly manner, they had laid a second embargo, an American embargo, on American shipping, not only forbidding trade with England, which trade France most desired should be forbidden, but with all the rest of the world, thus at the

same time helping Bonaparte in his effort of annihilating Great Britain at a cost little less than ruinous to ourselves. Our soil, it is true, remained fertile, and could give us the necessaries of existence; but the great surplus of produce, on which we depended, through our flourishing commerce, for the comforts and the elegancies of life, and for the means of developing the hidden resources of our country, had been allowed to perish in our fields. Wheat had fallen in a day from the price of two dollars per bushel to that of seventy cents; and the whole land, while aiding a traitor to republicanism in an attempt to break down the best government of the best people, next to our own, on the face of the earth, had been bereft of its business, its pol icy, and its power.

Immediately upon this, England, still struggling for her ex istence against the great aspirant to universal dominion, and seeing no other way of meeting the force of the Berlin decree, had published her celebrated orders in council, which, in substance, were another embargo, which blockaded against all nations the ports of France; but in the execution of these orders, still looking with a friendly eye upon the United States, as the natural ally of the great Anglo-Saxon and Protestant power of Europe, England had treated our shipping with a favor, which she had denied to all the commerce of the world. Publishing her orders suddenly, after a lengthy but secret deliberation, she had permitted all American vessels, then in her ports, to leave peaceably with their cargoes, and had given directions to her naval commanders, in every part of the globe, to allow our merchantmen quietly to return home.

In this state of things had the country been left, at the expiration of Jefferson's second term; and when his successor, Mr. Madison, had come into the presidency, he had seen so much evil to our commerce, and consequently to our agriculture, and to all the business of our hitherto thriving population, flowing from this policy that he had been, at the beginning of his pres-

idential career, favorable to a repeal of the embargo, and a friend to more peaceful measures. But his party, heterogeneous and yet united, could not be controlled by a weak, a hesitating, a timorous man. Madison was borne on, by the force of party feeling, through four years of irresolution and fear; but when he had approached the termination of his first term, he had seen no way of maintaining his position with his partisans, and of retaining his high office for four years longer, but to smother his convictions and his conscience, and rush forward to a still more "entangling alliance" with Napoleon, the end of which, as every one could see, and as he had plainly seen and confessed, would be a second war with England.

That war, indeed, soon came; and it was at the time of its declaration, in 1812, that Mr. Webster, in the manner heretofore described, had been compelled, by the demands of his fellow-citizens, and by the wants of a distracted country, to utter his opinions, and to enter into the internal conflict of the nation. What those opinions were, or what special part he took, and continued to bear, in the conflict, he has left no room to doubt.

In the first place, he was opposed to the embargo, and to the policy that dictated the embargo, because he regarded it as an indirect but effectual mode of aiding the ambition of Bonaparte in rooting out or trampling down the last remains of the originally genuine democracy of France, and of setting up a bitter though splendid tyranny in its place. He was opposed to this policy, because it was giving equal succor to the same man in his unprovoked attacks upon the governments of Europe, and especially upon Protestant Great Britain, which the aspirant looked upon with the deepest hatred, and which he was determined, as the master-piece and conclusion of his bloody career, to blot from the map of nations. He was opposed to this policy, because, while it strengthened France and weakened England, it destroyed our own commerce, cast a blight

upon our agriculture by shutting off our markets, and thus completely paralyzed the business of the country. He was opposed to this policy, also, and was warm in his opposition, because, as he saw it, and as others saw it, it was a powerful support to the rampant infidelity of the French atheists, who, in their madness, had declared the scriptures to be a fraud, christianity a lie, the Almighty a fiction, and Jesus Christ an impostor and a wretch. This infidelity, indeed, had been the original and exciting cause of the French Revolution, which, in its turn, had opened the way for the ambition of Bonaparte, who now looked upon the people of the United States as his ally against their own republican principles, against their kindred, their religion, and their God.

The particular occasion, which drew Mr. Webster out into the arena of politics, has been described, by a class-mate of his brother: "The first halo of political glory, that hung around his brow, was at a convention of the great spirits in the county of Rockingham, where he then resided, and such representatives from other counties as were sent to this convention, to take into consideration the state of the nation, and to mark out such a course for themselves as should be deemed advisable by the collected wisdom of those assembled. On this occasion, an address, with a string of resolutions, were proposed for adoption, of which he was said to be the author. They exhibited uncommon powers of intellect and a profound knowledge of our national interests. He made a most powerful speech in support of these resolutions, portions of which were reprinted at the time, and which were much admired in every part of the Union." The speech is lost, but it is still remembered in Portsmouth, that, from the moment of its delivery, Mr. Webster was at once acknowledged as the first man of the city, and the leading spirit of New Hampshire.

These popular assemblies were frequent; they everywhere demanded the attendance of Mr. Webster; and though all the

public speeches delivered by him, at this period, are gone beyond recovery, one of them was listened to by an intelligent traveler, who has given of it a very readable description: "His carriage was brought to the door, and he was about to get into it, when the hostler said, 'Sir, are you going to leave town? Mr. Webster is to speak to-night.' Finding all classes so delighted that Mr. Webster was going to speak, he ordered his horses to the stable, and put off his journey till the morrow. At early candle-light, he went to the hall, where the meeting was to be held. It was filled to overflowing, but some persons, seeing him to be a stranger, gave way; and he found a convenient place to stand. No one could sit. A tremendous noise soon announced that the orator himself had arrived; but as soon as the meeting was organized, another rose to make some remarks on the object of the meeting. He was heard with a polite apathy. Another, and yet another came; and all spoke well; but this would not do; and if Chatham himself had been among them, or St. Paul, they would not have met the expectations of the multitude. The admired orator at length arose, and was for a while musing upon something, which was drowned by a constant cheering; but when order was restored, he went on with great serenity and ease to make his remarks, without apparently making the slightest attempt to gain applause. The audience was still, except now and then a murmur of delight, which showed that the great mass of the hearers were ready to burst into a thunder of applause, if those who generally set the example would have given an intimation, that it might have been done; but they, devouring every word, made signs to prevent any interruption. The harangue was ended; the roar of applause lasted long, and was sincere and heart-felt. It was a strong, gentlemanly, and appropriate speech; but there was not a particle of the demagogue about it — nothing like the speeches on the hustings to catch attention. He drew a picture of the candidates, on both sides of

the question, and proved, as far as reason and argument could prove, the superiority of those of his own choice." Next day, the traveler went on his journey, and found to his surprise, that, though there was then no telegraph, the fame of the speech had everywhere preceded him.

It was at this election, during the month of November, 1812, after the war had been declared by the Madison congress against England, that Mr. Webster first suffered himself to be brought forward as a candidate for office. He had been solicited before; but he had invariably and positively declined. Now, however, there seemed to be a crisis, a crisis in the affairs of the whole nation. The two great measures, which had been carried through by the democratic party, the embargo and the war, had brought the Union to the brink of a dissolution. New England, which scarcely had a business, or any means of self-support, when she was taken from the sea, though loyal to the constitution and the Union, indulged the feelings toward the administration, and toward the measures of the administration, which a hungry population are likely to have against those who make them starve; and the southern States, which depended on New England shipping to carry their sugar, their cotton, their tobacco, and their rice to market, and to bring back to the producers such commodities as were absolutely necessary in the working of their plantations, and for the comfort of their homes, went so far beyond their New England brethren as to talk of opposition to the general government. Both sections were opposed to the war; and many of the federal party were so violently against it, as to withdraw from it their support even after it had been declared. Webster, though sympathizing with the opposition, and regarded as a member of the federal party, would not desert the country, nor the cause of the country, though he certainly looked upon the war with no favoring eye. Since war had been declared, congress, he maintained, and the people, ought to sus-

tain it as long as it must continue; but an honorable peace, he likewise maintained, should be accepted as soon as it should be offered, and offered as soon as there should be a possibility of its being accepted. Peace he regarded as the organic policy of this country; and he saw no good reason why England, then struggling for her life against an atheistical and imperial tyranny, which was now finally supported by the pope and by the papal church, should not be eager to terminate, in a manner honorable to both countries, a needless, a voluntary, and an unnatural war, against a people speaking the same language, cherishing the same customs, boasting of the same principles, and serving by the same worship the same God.

Standing thus between the extremes of both parties, he appeared before the citizens of his district as a candidate for the lower house of congress; and the result showed, that, though he had been manly enough to stand alone, at the very beginning of his career, when weak minds are always the most sectarian and violent in their zeal, his reputation at home, his abilities, and his exertions had been sufficient to conquer his own party, and to rout the ultra-partisans of the administration on their chosen field. The people, trusting in his honesty and talents, rallied round him; and, after a spirited canvass, he and his entire ticket were triumphantly elected.

According to the established custom, in a time of peace, Mr. Webster would not have taken his seat at Washington before the month of December of the succeeding year; but there was now a war upon the hands of the administration; and the president called an extra session to be opened in the month of May. Early in that month, therefore, after spending the whole winter in studying and reviewing the condition of the country, and preparing himself for his new duties, he left Portsmouth for the captital of the nation. His journey he has often described for the amusement of the private circle; and his account never failed to create convulsions of laughter among the

gravest of his auditors. How he went from Portsmouth to Boston in an old mail coach, at the rate of four miles the hour; how he rumbled and jerked along from Boston over to Hartford; how, from Hartford, he "worked his passage" round by land, a long and weary way, first to New Haven, and then to New York city; how he progressed, day after day, through the state of New Jersey, stopping a night with Governor Stockton, where they talked over the prospect of one day making portions of the trip by water; how he made his way into Philadelphia in a big wagon, and thence to Baltimore, and from Baltimore to Washington, through many perils; and how, after nearly two weeks of laborious travel, he found himself, on the 24th of May, at the seat of government, in no plight to stand before the assembled wisdom of the nation—all these things he would picture out, as no other man, in his day, could picture anything. The classic reader may have wondered, probably, how the Greek poet could have made so long, so complicated, so rich and beautiful an epic, out of a mere voyage of a few hundred miles from Troy to Italy. It is not the amount of materials, however, that decides what can be said by a man of genius; and no man, not even Homer, could make more amusement, or more instruction, out of such matter as happened to fall to him, than Daniel Webster. No person, who never heard him tell an anecdote, can realize what an amount of merriment he was accustomed to draw out of his first trip to Washington.

The young representative of New Hampshire might well think of his personal appearance, when about to take his place as a member of the memorable war congress. He had never been a member of a legislative body. He had never held a public office. He had leaped over all the steps, which ordinary men have to take, in their ascent to high positions, and found a seat in the supreme council of his country. He was to meet there men, whose fame was as wide as the Union, and whose talents

were respected in other countries. It is said, however, by those who remember the day, that, in spite of the imposing novelty of the scene, in spite of his comparative youth and inexperience, when he first entered the hall, he walked as calmly, as unhesitatingly, and with as much dignity and self-possession, as he ever did in those days when he was the acknowledged prince of congress. The truth is, he was a prince, and more than a prince, by nature; and his whole aspect, and every movement, were the noble and dignified expression of a noble and dignified mind.

Though his first appearance, and the manner of his entrance, are thus remembered by a single witness or two, who knew something of him, to the majority of the members, and to nearly all of them, he entered there a perfect stranger. The old members were well acquainted with each other; but the New Hampshire representative was a new member, and they did not know him. His name they may have seen in the election returns, or in the printed lists in the metropolitan newspapers; but the name, at that time, carried nothing with it, either personal or historical, to attract notice. All that it now means, in law, in politics, in congress, throughout the country, and over the face of the civilized world, and especially wherever the English language is spoken or read, has since been added to it. What it now meant was simply that it was the name of a young man who had come to the lower house from a certain locality in New Hampshire. The person, however, who bears the unknown name, is now among them. He is one of them. He meets, there, it is true, a few old friends, and, among the rest, his special friend, Governor Gore, of Boston; but the governor, though proud of his distinguished pupil, and ready enough to give him introduction, is too discreet a man, though he had pronounced a eulogy and a prophecy of him on a previous occasion, and at a very proper time, to pronounce any eulogies, or to utter any prophecies, at this time. He leaves him to make

his own introduction, and his own impression, in his own time and way, but certainly with a secret anticipation of a great day, and of a heart-felt joy, whenever that introduction, and that impression, should chance to come. That the time would come, for the fulfillment of his own prophecy, and that before the members would be prepared, the governor felt perfectly assured; but when, or in what manner, could hardly be divined from what was seen of the young man on that day. There he sits, in his own seat, quietly though not carelessly, giving such attention to the opening business of the house, as only a great mind, full of strong thoughts and conscious of power, can give. Some are constantly getting up from their seats, and sitting down again, in a restless anxiety, or because their heads have nothing in them weighty enough to hold them down. Others, all over the hall, are starting little motions, followed by little speeches, by which ordinary minds expect to acquire a sort of prominence, and all the prominence they can expect, at the opening of such assemblies. Others, not so quick at this sort of gaming, but eager in their own way, are moving about among the members, ostensibly as very social and well-meaning gentlemen, but really picking up from the fraternity a little private capital for private purposes. When the hammer of the clerk comes down, and the call is made to cast the votes for speaker, on the decision of which question hang an unknown number of little private expectations, and perhaps as many private promises, the fulfillment of which are the sole or main reliance of many a dandiprat politician, for the entire coming session, there is something of a sensation, and many a little cloud of anxiety may be seen on the faces of many of the members. The young representative from New Hampshire, however, still keeps quiet in his seat; and none of these dapper little statesmen trouble him with their attentions, because none of them chance to know him. As the ballots are being collected, which will shortly decide who is to be the speaker, the second great

question is busily discussed in loud whispers, as to the persons who are to fill, under this speakership, or under that, the committee of foreign relations, which, in a time of war, is the first committee of the house. The ballots are now collected; they are counted; and it is announced that Henry Clay, then somewhat noted as the rising orator of Kentucky, is elected speaker. In a short time afterwards, a time short enough to show that the speaker's mind has been made up beforehand, with the others the leading committee is announced, which embraces the names of Calhoun, Grundy, Jackson, Fish, and the elder Ingersoll, all of them men of the first position; and among these names, well known to every representative, and to all the country, the new members read, many of them for the first time, perhaps, in this august fellowship, the name of one Daniel Webster, of New Hampshire.

This, certainly, would be generally considered, and has been often spoken of, as a most auspicious beginning for the first day of a long public life; but it is this very circumstance, this promising first-day, that has raised against Mr. Webster the most deleterious political reproach, which his opponents have uttered against him as a public character. It is laid up against him as proof of his political inconstancy. It is said, and said with great emphasis, that he was appointed to this committee by Mr. Clay, the leader of the war movements in the lower house, as a friend to the war, as a friend to the Madison administration, but that, having secured the prominence he wanted, or not being able to secure it, in the face of Mr. Clay's popularity, he turned over and became a violent enemy of both. This charge, however, is utterly unfounded and untrue. Mr. Webster was never a friend of the war, and never a friend of the Madison administration, or of the Madison policy, before his election to congress, or after it. His position was clearly this, that, while he was opposed to the war in itself, he felt bound to stand by the country, after the war had been declared, and to carry both

the country and the war safely through. War had been declared by congress; the declaration had become the law of the land; he was bound, as every good citizen was bound, and particularly as every representative of the people was under special obligation, to obey and carry out the law while it remained a law; but, it cannot be forgotten, it cannot be denied, that, from first to last, Mr. Webster was the leading advocate of peace, of seeking and of making peace with England, so soon as peace could be obtained on right terms. He was, therefore, both a war man and a peace man at the same time, each without ambiguity, and both without contradiction. He was opposed to the declaration of war against Great Britain; but he was a friend to his country, as he was always a friend to it, whether in war or peace. He stood by her in her troubles, even when they were brought upon her by those whose positions and policy he opposed.

On these terms, therefore, and in this sense, Mr. Webster was a friend to the war, which he found on the hands of the Madison administration, when he entered congress; and it was as such a friend, and no other, that he was put into the war committee, the committee of foreign affairs, by Mr. Clay. Mr. Clay and the administration soon learned, however, that the member from New Hampshire was not a man to be influenced improperly by his position, or by a gift of place. His associates of the committee learned the same fact in an equally short space of time; for, on taking his seat with the committee, after the older members had pretty freely expressed their several views, and had as freely conceded, as a matter not to be debated, that the war was right, Mr. Webster wished to be informed directly and distinctly the ground on which the war had been declared. "He had heard a great many grounds stated," he said, "but he desired to know exactly what was the true ground, the precise point on which the administration relied, and on which the country was then and ever afterwards to rely, as the actual

casus belli, as the sufficient reason and cause of the declaration." This, certainly, was like Mr. Webster. It was going to the bottom of his business at the outset; but it was soon discovered, that it was easier to ask the question than to answer it. A great deal of explanation, of opinion, of discussion, as any one may imagine, must have ensued; but it was finally agreed, by a general concurrence of the members, that the great fact, which gave a basis to the war with England, was her orders in council, by which she laid an embargo on the French ports, and reclaimed her seamen and citizens, who had deserted her in her time of need. This did not entirely satisfy Mr. Webster. The claim set up to a sort of ownership of her seamen and subjects, he regarded as one of those points in the law of nature, which had not been sufficiently determined and settled in the law of nations; the leading nations of the earth had not been uniform in their practice respecting it; the majority of them, however, had been in the habit of setting up some such claim; and there was, therefore, so far as this point was concerned, Mr. Webster thought, a fit subject for deliberate study, for a more definite understanding among nations, and for a deeper and even final diplomatic investigation and arrangement by this country and Great Britain. His own opinion was, however, that the claim of England was not well founded. He thought that the citizen of any country had a right, at his own option, and in his own time, to transfer his allegiance, his citizenship, to another country. That was the citizen's right by the law of nature. It was a right growing out of what we, in this country, have established as the great right of personal liberty and independence. This latter right, however, was not established, was not acknowledged, and never had been acknowledged, in the countries of Europe. It had not been acknowledged in Great Britain; and Mr. Webster, though ready to make it a question, and a question not to be avoided or evaded, between us and England, until it should be settled, was

slow to regard it as a sufficient justification for a hasty war with a kindred people, whose language, whose laws, whose religion, whose national interests, were almost identical with our own. He honestly and firmly believed, that England, so soon as she should be free from the danger that impended over her existence, would see it to be her interest, and would be willing, not only to settle the claim on a just and satisfactory basis, but give us ample satisfaction for every instance in which, to our detriment, it had been abused. In one well known case, and in several not so generally understood, she had already done so; and Mr. Webster argued, that this country might have charitably presumed, for the time at least, till the momentous European struggle of national existence against usurpation should be over, upon a continuance of a similar disposition, until the contrary should be established by sufficient evidence.

This, however, was only one branch of Mr. Webster's argument. There was another equally truthful, equally cogent, and still more troublesome to meet. America had declared war against England, because England had passed her orders in council, and blockaded the ports of France. But France, it was urged by Mr. Webster, had done the same thing, and was the original transgressor. England had passed her orders only in self-defense. If a war was to be declared against England, therefore, why had not one been declared before, or at the same time, against France? France, too, had followed up her Berlin decree by another and a worse one dated at Milan. Why had not these produced a declaration of war by the United States? This question Mr. Webster urged upon the committee; and it was replied that the French decrees had been revoked. But when, at what particular time, had they been revoked? This question brought after it a difficulty. The committee could not tell. The date of the revocation was April 28th, 1811; it had been handed to our minister at Paris, it was said, and sent to the French minister at Washington, but

had not been communicated to our government till the month of May, 1812. There was a mystery in the whole proceeding. The proceeding looked very much like a fraud. There seemed to be a good chance to doubt, that an instrument of such importance could have been left to lie in the drawers of the American minister at Paris, or in those of the French minister at Washington, as though it had been an almost useless roll of paper, which it was only necessary to preserve. Had not the document, which had been really and officially presented to the United States, in the month of May, 1812, been dated backward by the French government to the 28th of April, 1811? And had not the administration, to excuse its declaration of war against England, while it remained at peace with France, been a party to this contrivance? As to that, Mr. Webster could not tell. The committee could not inform him. So, determined not to take a step until he should know on what he was to stand, or on what was to be his reliance for a foothold, he resolved to appeal from the committee to the house, and through the house to the administration, for some light upon this mysterious subject. Therefore, on the 10th of June, 1813, after he had been a member of congress about two weeks, he rose in his place, and moved a series of resolutions, which went to the bottom of the whole subject, and which took the members by surprise. The resolutions were the following:

"*Resolved*, That the president of the United States be requested to inform the house, unless the public interest should, in his opinion, forbid such communication, when, by whom, and in what manner the first intelligence was given to this government of the decree of the government of France, bearing date the 28th of April, 1811, and purporting to be a definitive repeal of the decrees of Berlin and Milan.

"*Resolved*, That the president of the United States be requested to inform this house, whether Mr. Russell, late *chargé d'affaires* of the United States at the court of France, hath

ever admitted or denied to this government the correctness of the declaration of the Duke of Bassano to Mr. Barlow, the late minister of the United States at that court, as stated in Mr. Barlow's letter of the 12th of May, 1812, to the secretary of state, that the said decree of April 28th, 1811, had been communicated to his (Mr. Barlow's) predecessor there; and to lay before this house any correspondence relative to that subject, which it may not be improper to communicate; and also any correspondence between Mr. Barlow and Mr. Russell on that subject, which may be in the possession of the department of state.

"*Resolved*, That the president of the United States be requested to inform this house, whether the minister of France near the United States ever informed this government of the existence of the said decree of the 28th of April, 1811, and to lay before the house any correspondence that may have taken place with the said minister relative thereto, which the president may not think improper to be communicated.

"*Resolved*, That the president of the United States be requested to communicate to this house any other information, which may be in his possession, and which he may not deem injurious to the public interest to disclose, relative to the said decree of the 28th of April, 1811, and tending to show at what time, by whom, and in what manner the said decree was first made known to this government or to any of its representatives or agents.

"*Resolved*, That the president be requested, in case the fact be, that the first information of the existence of said decree of the 28th of April, 1811, ever received by this government, or any of its ministers or agents, was that communicated in May, 1812, by the Duke of Bassano to Mr. Barlow, and by him to his government, as mentioned in his letter to the secretary of state, of May 12, 1812, and the accompanying papers, to inform this house whether the government of the United States

hath ever received from that of France any explanation of the reasons of that decree being concealed from this government and its ministers for so long a time after its date; and, if such explanation has been asked by this government, and has been omitted to be given by that of France, whether this government has made any remonstrance, or expressed any dissatisfaction, to the government of France, at such concealment."

Such were Mr. Webster's resolutions. The reading of them, and the defense made of them, were the occasion of the first words he ever uttered in the halls of congress. A weaker man would have taken up, for the first time, some popular or trivial topic, which would have given him the opportunity of introducing *himself* to the notice of the country. Mr. Webster, on the other hand, stood up there, single and alone, a young and inexperienced man, but a man conscious of his power, to call the *country* to account at the bar of its own sober judgment. He called upon the administration to tell the people, and to tell the world, why it had gone to war with England, while it remained at peace with France. He called upon the administration to inform the people, whether its apology, that France had revoked her decrees before war had been declared, was a well-founded apology, or a piece of conspiracy between Bonaparte and itself. He called upon the administration to say, in so many words, whether the revocation had not been dated backward by France with its own connivance or consent, that an apparent apology might be furnished, or whether the revocation had not been bought of France by the pledge of a declaration of war against England by the United States, which revocation was to be a dead letter, a *brutum fulmen*, until the pledge should be redeemed, and which pledge the administration had found it impossible to redeem, or to bind itself positively to redeem, till a year after the date of the revocation, for which this price was promised to be paid. In case it should appear, as Mr. Webster suspected, that the administration had never

heard of the revocation, till May 12, 1812, just before the declaration, he called upon the administration to convict itself still farther by being compelled to say, while it had declared war against England for steps taken in self-defense, whether it had even so much as remonstrated against the French decrees, which were the original and much the more aggravated transgression against our interests and rights. In truth, he was determined, in this direct and legitimate way, to compel the administration to make confession, either of an unnatural and fraudulent conspiracy with France against England, or of an equally unnatural and fraudulent partiality, in the face of every good reason for an opposite partiality, for the imperial, infidel, bloody, ambitious and unscrupulous government of France.

This, certainly, was a very bold step for any man to take; but it was far bolder, almost hazardous, for a young and unpracticed man, who had taken the floor for the first time, and had been a member but about half a month. Mr. Webster, however, though by no means vain of his abilities, perfectly knew himself. He knew that it would give him no trouble, scarcely any uneasiness, to stand up there and explain the reasons why he sought the information required; and that, as he understood the case, having no thought of oratory, or of eloquence, was all that he had to do. This he did do, and that with a clearness, a directness, a power, which the oldest man there had never heard surpassed. When he began to speak, the members prepared themselves to listen, at least during the introduction, with that charity and respect which they were accustomed to pay to a new member; but the introduction was too brief to give them time for all the respect due on such an occasion, and too pertinent to admit of their letting go of the speaker without farther notice: Mr. Webster rose, as he said, "to call the attention of the House to a subject of considerable importance—a task which he hoped would have fallen into the hands of some other gentleman better-times to an-

himself to undertake it." This single remark, followed by the reading of the resolutions, constituted his exordium. "In offering these resolutions," said the speaker, as he took up the subject, "it was not his intention to enter into any discussion or argument, or to advance any proposition whatever, on which gentlemen could adopt different views, or take different sides. He would merely remark, by way of explanation, what would be remembered by all, that the subjects to which these resolutions referred, were intimately connected with the cause of the present war. The revocation of the orders in council of Great Britain was the main point on which the war turned; and it had been demanded for the reason that the French decrees had ceased to exist." This brief statement, in the language of the rhetoricians, was the substance of the exposition, or explication, of his subject. Then came the narration of facts, necessary to be had clearly in the mind in order to a fair view of the great topic; and in this particular part of an oration, Mr. Webster never had his superior, and America never saw his equal. A full report of the speech has not been preserved; but, judging from the few notes taken at the time, and from what is well known of Mr. Webster's manner, the historical statement was not only to the point but brief and simple. The argument of the speech then came, and then a brief but powerful application: "France, Mr. Speaker, is a patriotic and revolutionary country. Its inhabitants are a people remarkable for a sort of self-dependence which disdains all reliance upon other countries and other people. They depend, and are determined to depend, mainly on themselves. Their language, their laws, their civilization, their destiny, they are accustomed to regard as entirely their own. Their religion, from the days of the Pragmatic Sanction, though derived originally from abroad, they have managed, in a great measure, to make their own. Though Catholic in faith, they have been, for a great many years, anti- as Mr. Webs government. The bishop of Rome has tried hard

for centuries to extend his ecclesiastical dominion over them; but they have met his attempts, from first to last, with nothing but coldness and resistance. Resistance to the papacy, while they are perfectly good Catholics in doctrine, has long been one of their ruling political dogmas. But the pope has never been willing to give up the struggle. He has ever been as determined to extend his authority over France, as France has been determined to resist it. Thus, a long conflict has been going on between a Catholic people and the head of the Catholic religion. This conflict, carried to excess by both parties, has gradually produced among the people of France, especially in the literary circles, a class of men, who, knowing no other religion but the Catholic, in their zealous opposition to the head of this religion, have matured their cause first into an opposition to the religion itself, and finally to all religion. These are the French atheists; and they have been able, by the most prodigious and long-protracted labors, to make their cause the cause of the French people. They have been able to raise, and for a series of years to maintain in France, a fierce, bloody and sweeping revolution. That revolution, at first democratic, turned out to be most basely and disgustingly tyrannical. The people themselves became at last weary of it. At this precise point of time, Napoleon Bonaparte, a young French general, a man of extraordinary talents and ambition, rose up from the masses of the people, and resolved to take the revolution into his own hands and use it for his own aggrandizement. So successful was he, in this undertaking, that he has been, now for several years, the master, the tyrant, the scourge, in many respects, of continental Europe. In his career of triumph, however, the usurper meets, everywhere and always, with a check at the hands of England. England, therefore, must be humbled. England must be subdued. England must be blotted from the map of the nations. In the field of battle, he has thus far been able to meet her, to baffle her, and oftentimes to an-

nihilate her armies. He has thought that, on land, he would ever be able to control her. But England is emphatically a maritime country. She is mistress of the ocean. So long as she can retain her superiority at sea, the ambition of the French general, consul, emperor, will never succeed in the grand undertaking of universal empire. The commerce of England, therefore, out of which grows her gigantic navy, must be crippled, crushed, annihilated. Hence the Berlin decree. Hence, in opposition to the British orders in council, which England had passed in self-defense, the Milan decree. Hence, carrying out the same design, even after the laying of the Jefferson embargo, and in defiance of it, the Bayonne decree. Hence his seizure of American shipping in French ports, and upon the high seas. Hence the confiscation of millions of the private property of our citizens; and hence all those high-handed measures of the French government, which have worked such disaster to our commerce. In this state of the case, sir, greatly agitated by the defensive measures which England found it necessary to her existence to adopt, but entirely forgetful of what France had done of her own free will, and that her will might have free scope in the exercise of a universal domination, the United States have declared war, not on France, which began the struggle, which was the first transgressor, but against England, a country making a unanimous and perilous effort to maintain its own integrity and existence against a man, who, when he should have finished Europe, would sigh, like the all-devouring Greek, for another world to conquer. And who knows, sir, that that other world would not be, will not be, that very country which has thus far helped him in his progress to this universal conquest? For one, sir, I cannot say that these United States may not be his last field of battle. But it is said, sir, that Bonaparte is a friend to us, and that his decrees, necessary for a time, have all been revoked. This is exactly the point, sir, about which I rose to seek information. It is the

point of inquiry in the resolutions which I have had the honor this day to read. I wish to know, and the country wishes to know, when, by whom, and in what manner those decrees have been revoked. For one, sir, I never heard of the revocation till after the war with England had been declared. Then they were produced. Then they were put into the hands of congress. Then they were published through the length and breadth of the country as certain evidence of the generosity and friendly disposition of the government of France. Now, sir, I wish to know, and the people of this country wish to know, and I trust it is for the honor of the people and of the government to have it known, whether this revocation was made *before* or *after* the declaration. If before, and more than one whole year before, as is now said, I wish to know where it had been during all that time, and why it was kept concealed. If after, let us know, sir, and let the people know, how a declaration of war could be passed in this hall, and at the instance of this administration, against Great Britain, while we remained at peace with France. More than this, it is well known to you, sir, and to every gentleman in this house, that, even now, we have the letter of M. Champagny, asserting the revocation, and a copy of the emperor's address to the free cities, on the other hand, denying it. We have, also, now before us, decisions of the French admiralty affirming, and other decisions of the same courts, repudiating it. The whole matter, sir, is involved in darkness and needs light. It will be recollected, too, that, in March last, the president had communicated to congress, immediately before its adjournment, certain correspondence between our government and its ministers to France, the prominent features of which correspondence was, that, in an interview between our minister and the French secretary for foreign affairs, which took place about the first of May, 1812, it was stated by the latter that the decree in question had been put into the hands of our minister in France, and transmitted

to the French minister in the United States, at the time at which it bore date. Here, sir, is the chief mystery. Now, if this be so, why was not that decree published to the world, at least to our fellow-citizens, that they might know and avail themselves of the removal of this restriction from their trade and general business? Why was it not put into the hands of congress, as soon as received, which was before the declaration of war with England, that congress might act, in that great crisis, with all the light possible on a topic so momentous? Right here, sir, I am seriously puzzled in this matter. Here was a congress, at the date and sometime after the date of that revocation, hot for a declaration of war with England; and there, outside of these chambers, was an administration equally zealous, and seeking every argument and pretext for the most belligerent measures. This revocation, however, which the administration affirm was in their possession before the war, and at the time of the declaration, and which would have been the weightiest argument possible for the war, was never used, never referred to, never hinted at, for this purpose, nor for any other purpose. Why was it not said, in reply to those members who accused the administration of partiality in declaring war on England, while remaining at peace with France, that France had revoked, had recalled, had abolished all her offensive and injurious decrees, while England, thus freed from the necessity of keeping up her orders in council, pertinaciously and gratuitously maintained them? Not a word, however, did you hear, at that time, about the revocation. The news of the revocation came afterwards. It came after the war. It came at the time when an apology for the war was needed to quiet the rising and growing opposition of our people. But, instead of quieting their resentment, it has roused their suspicion. They fear there is some collusion here. They fear that the reputation of the country is at risk before the world. They wish to know the facts in the case; and it is merely for the purpose of

eliciting information, and giving it to the people of these states, that I offer to you the resolutions which I have had the honor of submitting to your consideration. And, before taking my seat, I trust the house will indulge me in adding to what I have already said, that the reputation of a country, of a whole people, is worthy of the deepest concern, and should claim at our hands the most grave and considerate attention. To maintain our national honor, as a nation respected for its fair and open and impartial intercourse with all other nations, will be worth more to us, and to our children, than any number of wars, or any number of victories."

Such, in a condensed form, is the substance, according to the few notes taken of it at the time of its delivery, and according to the recollection of some who heard it, of Mr. Webster's maiden speech in congress. It was in every way eminently successful. When the exordium, brief and pertinent, had been disposed of, the members still found themselves listening, they scarcely knew why, but probably because the speaker had given the impression that he was a man who had something to say. As he advanced, they listened with a gradually growing interest, because what had been said gave evidence that the person speaking would be likely to say something better than they had expected, and perhaps as well as anything they had heard before, on a new, an exciting and important subject. The boldness of the speech also had its effect upon them; and they watched the young speaker the more narrowly to see how he would come out of so daring an undertaking. Before he was half through, however, all speculation was over; he had mastered his position, had gained his auditors; and nothing remained but a deeper and a still deeper interest, till speaker and hearer were lost in that indescribable feeling, that all-subduing spell, which an oratorical triumph always throws around the orator, and in the unbounded and equally unaccountable hom-

age, which such a triumph always receives from a willing, and compels from an unwilling, audience.

"In the most splendid fortune, in all the dignity and pride of power," inquires the philosophic Tacitus, "is there anything that can equal the heartfelt satisfaction of the able advocate, when he sees the most illustrious citizens, men respected for their years and flourishing in the opinion of the public, yet paying their court to a rising genius, and, in the midst of wealth and grandeur, fairly owning, that they still want something superior to all their possessions?" But when we see a man, a young man, by the simple power of speech, not only gaining at once the hearts of the aged and the wealthy, but of such in his own profession, in his own sphere of action, in spite of their jealousy of a rival and their dread of a superior, it is a triumph such as was never enjoyed by the proudest and most fortunate of the Cæsars. Such a triumph was that of Mr. Webster. In a single day, in an hour, by the force of his own mind and power, he had sprung from positive obscurity, so far as the country was concerned, not only to a most eminent position, but to that of the first orator in congress, and one of the strongest, boldest, and most reliable of our statesmen. "At the time this speech was delivered," says Chief Justice Marshall, in a letter to a friend, "I did not know Mr. Webster; but I was so struck with it, that I did not hesitate to state that Mr. Webster was a very able man, and would become one of the very first statesmen in America, and perhaps the very first." Such, almost in a day, became the opinion of the country; and from that day forward, intelligent men, all over the Union, as they looked after the proceedings of congress, were eager to read every paragraph, every scrap, that carried in it the new name of Daniel Webster.

Mr. Webster, however, did not often gratify the public curiosity, in this respect, while a member of the thirteenth congress. It was as much his discretion at the beginning of his

congressional career, as it afterwards became his settled practice, not to speak on every question, nor on many questions, but only on the most important, and on such only when something from his lips seemed to be demanded. Besides advocating the resolutions just mentioned, which were carried by a heavy vote, he addressed the house on the increase of the navy, which he maintained had been too much neglected. Mr. Webster had always been, in private life, a strong and consistent advocate of a powerful navy. He was a citizen of a country, which, from Maine to Louisiana, bordered upon the ocean; and behind that ocean, in the interior, there was a vast area of soil, such as the world could scarcely parallel, and which teemed with a sufficiency of agricultural products to give sustenance to many nations. Without a navy of our own, we could have no commerce, because a commerce must be protected; without a commerce, the abundant growth of this immense region would lie and rot upon the furrows where it grew; and this state of things would be the blight of every kind of business, entailing poverty and misery upon our population to the end of time. It was for this reason that he had opposed, as a private man, the embargo of Mr. Jefferson. It was for this reason, mainly, that he had opposed the policy of a needless war, though he now voted for all the supplies demanded to carry it successfully for ward, after it had been unwisely undertaken. Both the em bargo and the war were the end of commerce, while they continued; and when there was no commerce, we could make no sales of our surplus productions, we could reach no market, though we had everything to sell. If we could not sell, we could have no money; and, destitute of money, we could have no power abroad, no enterprise at home, but must drag out a wretched existence in weakness, in ignorance, and in rags. Commerce, on the other hand, would bring with it money, power, business, enterprise, intelligence and the general pros-

perity of the whole nation. This had always been the political doctrine of Mr. Webster. It was his doctrine still:

"Le Trident de Neptune est le sceptre du Monde."

This had been the doctrine of Themistocles at Athens, of Pompey at Rome, of Cromwell in England, and of Richelieu and Colbert in France. It was the doctrine of nearly every far-seeing man of this country, whose judgment had not been obscured by a blind devotion to a party, or to the men of a party. It was the federal doctrine at that time, in opposition to the doctrines and policy of Jefferson, which Madison had received by dictation from his predecessor, rather than by the convictions of his own mind.

Mr. Webster's opinion of the war, and of the measures of the administration in relation to it, was most forcibly expressed in his speech on encouraging enlistments, delivered during the third session of the thirteenth congress. It will be perceived, by the perusal of a short extract, that, as an orator, he then had nearly all the point and power of his better days: "The humble aid," says the speaker, "which it would be in my power to render to measures of government, shall be given cheerfully, if government will pursue measures which I can conscientiously support. If even now, failing in an honest and sincere attempt to procure an honorable peace, it will return to measures of defense and protection, such as reason and common sense and the public opinion all call for, my vote shall not be withholden from the means. Give up your futile projects of invasion. Extinguish the fires that blaze on your inland frontiers. Establish perfect safety and defense there by adequate force. Let every man that sleeps on your soil sleep in security. Stop the blood that flows from the veins of unarmed yeomanry, and women and children. Give to the living time to bury and lament their dead in the quietness of private sorrow. Having performed this work of beneficence and mercy on your inland

border, turn and look with the eye of justice and compassion on your vast population along the coast. Unclench the iron grasp of your embargo. Take measures for that end before another sun sets upon you. With all the war on your commerce, if you would cease to make war upon it yourselves, you would still have some commerce. That commerce would give you some revenue. Apply that revenue to the augmentation of your navy. That navy in turn will protect your commerce. Let it no longer be said, that not one ship of force, built by your hands since the war, yet floats upon the ocean. Turn the current of your efforts into the channel which national sentiment has already worn broad and deep to receive it. A naval force competent to defend your coasts against considerable armaments, to convoy your trade, and perhaps raise the blockade of your rivers, is not a chimera. It may be realized. If then the war must continue, go to the ocean. If you are seriously contending for maritime rights, go to the theater where alone those rights can be defended. Thither every indication of your fortune points you. There the united wishes and exertions of the nation will be with you. Even our party divisions, acrimonious as they are, cease at the water's edge. They are lost in attachment to the national character, on the element where that character is made respectable. In protecting naval interests by naval means, you will arm yourselves with the whole power of national sentiment, and may command the whole abundance of the national resources. In time you may be able to redress injuries in the place where they may be offered; and, if need be, to accompany your own flag throughout the world with the protection of your own cannon."

Such was Mr. Webster's opinion of the war, in which there can be discovered nothing inconsistent in itself, or opposite to the opinions of his subsequent career. His course was so clear, and it had been pursued with such extraordinary ability, that he had molded to himself a majority of the federal party be-

fore the termination of his first congress. He had so completely gained the confidence of New England, and particularly of his own constituents, that, in August, 1814, without raising a finger for himself, he was reëlected to the house, from his former district, by a majority seldom witnessed in that part of the country, or in any other, before or since.

The first subject, or one of the first, and decidedly the most important, which Mr. Webster met, on his return to congress, was the question of a United States bank. The reader will remember, that the charter of the first United States bank had expired between two and three years before the period now under consideration. There was no such institution at the beginning of the war; and the war party, with a few individual exceptions, had strongly advocated the rechartering of the bank, as a fiscal agent of the government particularly essential in transacting the heavy financial business which the war had devolved, and would always devolve, upon the administration. In a season of active hostilities, it was argued, money had to be raised at a moment's warning; and without the existence of an institution so large as to be able to render aid to the government, in an emergency, great embarrassments, perhaps disasters, might fall upon the common interests of the country. The constitutionality of the institution was based on the provision of the constitution giving to the general government the right of coining money, which, of course, carried with it the regulation of the currency. On these grounds, and for these reasons, a bill was brought into the house, under the lead of Mr. Madison's secretary of the treasury, proposing to erect a new bank, whose capital should be fifty millions. Forty-five millions of this capital should consist of the public stocks. The remainder was to be in specie; but this small amount of gold and silver being evidently inadequate, the new institution was to be a non-specie-paying bank, which could send out fifty millions of irredeemable paper to deceive the confidence of the

people. In payment for this immunity, it was to be held under a perpetual obligation to loan the government thirty millions of dollars, at any time when demanded.

Such was to have been the democratic bank of eighteen hundred and fourteen. It was opposed by Mr. Calhoun, by Mr. Lowndes, and by Mr. Webster. Mr. Webster, after listening to the discussion of the bill by the older members for several days, rose in his place, on the second of January, 1815, and moved that the bill be recommitted to a select committee, who should be instructed to make the following alterations: "To reduce the capital to twenty-five millions, with liberty to the government to subscribe five millions; to strike out the thirteenth section; to strike out so much of said bill as makes it obligatory on the bank to lend money to government; to introduce a section providing, that if the bank do not commence its operations within the space of a given number of months, from the day of the passing of the act, the charter shall thereby be forfeited; to insert a section allowing interest at the rate of a given per cent. on any bill or note of the bank, of which payment shall have been duly demanded, according to its tenor, and refused; to inflict penalties on any directors who shall issue any bills or notes during any suspension of specie payment at the bank; to provide that the said twenty-five millions of capital stock shall be composed of five millions of specie, and twenty millions of any of the stocks of the United States having an interest of six per cent., or of treasury-notes; and, finally, to strike out of the bill that part of it which restrains the bank from selling its stock during the war." Such was the motion; and the speech made in support of it was one of the clearest specimens of argument ever listened to, even on the floor of congress. This very speech, however, and the course pursued by Mr. Webster at this time, have been often mentioned, by those who either did not know the facts in the case, or who were interested not to state them as they were, as a

proof of glaring inconsistency, on the part of Mr. Webster, as a politician. They have long been made the basis of the charge of political vacillation. He is said, in relation to the bank, as in relation to the war, to have set out on democratic principles to become a federalist at last. He began, they say, by supporting the war and opposing the United States bank; but he afterwards changed sides respecting both. So far as the war is concerned, his course has now been set forth; and it is equally easy to acquit him of all inconsistency in relation to the bank. No one need go beyond the first three paragraphs of his speech: "However the house may dispose of the motion before it," says the still youthful orator, "I do not regret that it has been made. One object intended by it, at least, is accomplished. It presents a choice; and it shows that the opposition which exists to the bill in its present state is not an undistinguishing hostility to whatever may be proposed as a national bank, but a hostility to an institution of such a useless and dangerous nature as it is believed the existing provisions of the bill would establish.

"If the bill should be recommitted, and amended according to the instructions which I have moved, its principles would be materially changed. The capital of the proposed bank will be reduced from fifty to thirty millions, and will be composed of specie and stocks in nearly the same proportions as the capital of the former bank of the United States. The obligation to lend thirty millions of dollars to government, an obligation which cannot be fulfilled without an act of bankruptcy, will be struck out. The power to suspend the payment of its notes and bills will be abolished, and the prompt and faithful execution of its contracts secured, as far as, from the nature of things, it can be secured. The restriction on the sale of its stocks will be removed; and, as it is a monopoly, provision will be made that, if it should not commence its operations in a reasonable time, the grant shall be forfeited. Thus amended, the bill

would establish an institution not unlike the last bank of the United States in any particular which is deemed material, excepting only the legalized amount of capital.

"To a bank of this nature, I should at any time be willing to give my support, not as a measure of temporary policy, or as an expedient for relief from the present poverty of the treasury, but as an institution of permanent interest and importance, useful to the government and country at all times, and most useful in times of commercial prosperity."

Mr. Webster, therefore, as is clear from this quotation, was not opposed to a bank of the United States in general, but to that particular bank then and there proposed; and his objections to the institution, as given in the progress of his speech, are certainly of a very specific as well as a serious character: "The bank which will be created by the bill, if it should pass in its present form, is of a most extraordinary, and, as I think, alarming nature. The capital is to be fifty millions of dollars; five millions in gold and silver, twenty millions in the public debt created since the war, ten millions in treasury-notes, and fifteen millions to be subscribed by government in stock to be issued for that purpose. The ten millions in treasury-notes, when received in payment of subscriptions to the bank, are to be funded also in United States stocks. The stock subscribed by government on its own account, and the stocks in which the treasury-notes are to be funded, are to be redeemable only at the pleasure of the government. The war stock will be redeemable according to the terms upon which the late loans have been negotiated.

"The capital of the bank, then, will be five millions of specie and forty-five millions of government stocks. In other words, the bank will possess five millions of dollars, and the government will owe it forty-five millions. The bank is restrained from selling this debt of government during the war, and government is excused from paying until it shall see fit. The

bank is also to be under obligation to loan to government thirty millions of dollars on demand, to be repaid, not when the convenience or necessity of the bank may require, but when debts due from the bank to the government are paid; that is, when it shall be the good pleasure of the government. The sum of thirty millions is to supply the necessities of government, and to supersede the occasion of other loans. This loan will doubtless be made on the first day of the existence of the bank, because the public wants can admit of no delay. Its condition, then, will be, that it has five millions of specie, if it has been able to obtain so much, and a debt of seventy-five millions, no part of which it can either sell or call in, due to it from government.

"The loan of thirty millions to government can only be made by an immediate issue of bills to that amount. If these bills should return, the bank will not be able to pay them. This is certain; and to remedy this inconvenience, power is given to the directors, by the act, to suspend, at their own discretion, the payment of their notes until the president of the United States shall otherwise order. The president will give no such order, because the necessities of government will compel it to draw on the bank till the bank becomes as necessitous as itself. Indeed, whatever orders may be given or withheld, it will be utterly impossible for the bank to pay its notes. No such thing is expected from it. The first note it issues will be dishonored on its return, and yet it will continue to pour out its paper so long as government can apply it in any degree to its purposes.

"What sort of an institution, sir, is this? It looks less like a bank than a department of government. It will be properly the paper-money department. Its capital is government debts; the amount of its issues will depend on government necessities government, in effect, absolves itself from its own debts to the bank, and, by way of compensation, absolves the bank from

its own contracts with others. This is, indeed, a wonderful scheme of finance! The government is to grow rich, because it is to borrow without the obligation of repaying, and is to borrow of a bank which issues paper without liability to redeem it. If this bank, like other institutions which dull and plodding common sense has erected, were to pay its debts, it must have some limits to its issues of paper, and therefore there would be a point beyond which it could not make loans to government. This would fall short of the wishes of the contrivers of this system. They provide for an unlimited issue of paper in an entire exemption from payment. They found their bank, in the first place, on the discredit of government, and then hope to enrich government out of the insolvency of their bank. With them, poverty itself is the main source of supply, and bankruptcy a mine of inexhaustible treasure. They trust not in the ability of the bank, but in its beggary; not in gold and silver collected in its vaults, to pay its debts and fulfill its promises, but in its locks and bars, provided by statute, to fasten its doors against the solicitations and clamors of importunate creditors. Such an institution, they flatter themselves, will not only be able to sustain itself, but to buoy up the sinking credit of the government. A bank which does not pay is to guaranty the engagements of a government which does not pay! 'John Doe is to become security for Richard Roe.' Thus the empty vaults of the treasury are to be filled from the equally empty vaults of the bank; and the ingenious invention of a partnership between insolvents is to restore and reëstablish the credit of both!"

This, certainly, is a splendid specimen of reasoning, as well as of eloquence, for a new and inexperienced member of only thirty-two years of age. The whole speech is like the example here given. It produced a powerful impression upon the house. Though supported by the leaders of the administration, as an administration measure, at a time when the existence of war

would naturally incline congress to favor any administration as far as possible, the bill for the new bank was lost; and that would have been the end of it, in all probability, had not Mr. Webster revived the subject. He, having voted against the bill, moved a reconsideration, which motion prevailed; and, chiefly from his suggestions, the bill was amended, and then passed, by a large majority. So, instead of having begun his political career by opposing the war and the bank of the United States, he helped carry on the one, because it had been created, and carried through the other in the lower house, though he had first to demolish a bad undertaking before he could establish a good one. This act of demolition is the only part of the work referred to by his enemies; just as his objections to the war are quoted as a proof that he did not support it; but it is the duty of the historian, and of the candid reader, to correct both errors, and to give the statesman the credit of being, so far at least, a consistent politician.

On his return to New Hampshire, to spend the vacation between the thirteenth and the fourteenth congress, he found himself, more than ever, the favorite of the people. But he devoted no time to paying or receiving compliments. He went directly to his office, to his practice, to his studies. He was more studious, in fact, than he ever had been. Having realized the value of knowledge, on the great arena of practical and public life, as he could but faintly imagine it while a student, he now grasped after knowledge of every kind with no juvenile views of its importance, but with an intelligent and manly power. He had before laid down the foundations broad and strong. He now gathered materials for immediate use; and no man, perhaps, ever surpassed him, either in knowing what he ought to have, or in the capacity to obtain and to keep what he wanted. The laborious study of the brief period now under review, from March to December of the year 1815, so widened the vision, and multiplied the resources, and matured all

the faculties of Mr. Webster's mind, that, when he took his place in the fourteenth congress, his friends welcomed back a much stronger man than they had parted from in spring. He had not been satisfied, as many of his associates had been, with the success, even the unparalleled success, of this opening of his career. Ordinary men, who have ambition, mistake their ambition for talent, and so trust to what they think nature has done for them without study. Really great men, having less of ambition, and more of sound judgment, however conscious of nature's gifts, study without cessation, and make their dependence on their own exertions. It was so, at this time and always, with Mr. Webster.

It has been thought by philosophical historians, that the loss of the great library of Alexandria, so sorely lamented by successive generations of scholars, has been, as it was providentially designed to be, a blessing to the human mind. Containing, as it doubtless did, the treasures of the world's learning, up to that period, it might have satisfied too long the cravings of the intellect and rendered the race intellectually inactive. The loss of this resource, therefore, while it swept away a great amount of knowledge, may be supposed, very fairly, to have brought the mind of man to a degree of independence, of thorough and healthy self-reliance, which, otherwise, would not have been the characteristic and glory of modern ages. A fate, or a fortune, similar to this, had happened, a year or two prior to the period now before us, to Mr. Webster; and, without any doubt, it had exerted a most salutary influence, over and above his losses, upon the progress of his education. In the month of December, 1813, in a conflagration that occurred then at Portsmouth, he had been a chief sufferer. He had lost, in one sad destruction, his house, his library, and the notes and memoranda and other fruits of all his former reading. All had perished together; and, after years of painful study and laborious saving, he had been thrown, in a single hour, naked and alone

upon the world, thereafter to rely, not upon what he had been, or had known, or had treasured up for use, but upon himself as he then was, and upon new resources to be gathered up by a mind more than ever capable to do its work. This, beyond all question, was one of the many wonderful events, which seemed to follow each other, in Mr. Webster's history, as if directed by the hand of Providence, that nothing might be neglected in the development of his great mind. And the effect fully justified the design. A common man would have sunk under such a disaster; but Mr. Webster, rising to the height of his necessities, resolved not to be a loser by his misfortune. From that hour, he had studied with increased zeal; he had reperused his favorite authors, and taken minutes of his reading many times more valuable than those lost by the fire; and he now came forth, after his two years of unparalleled labor, a man of larger proportions, better furnished and prepared for the great demands of life, than he was or could have been with all that had been taken from him. As we see, in commercial and growing cities, a valuable block, ancient and full of treasures, fall in a day by some sad calamity, but the next day rise again, or begin to rise, on a broader foundation and with superior splendor; so the loss suffered by Mr. Webster had been but a momentary loss, followed by a breadth of effort, and a towering of success, such as he would scarcely have attempted had he not been thus roused to action. He was not a man to be conquered by misfortune.

Coming, with all this renewed preparation, into the fourteenth congress, where his former fame still lingered, he was at once the centre of all eyes, and the hope of a great and growing party. The first question he encountered, after his return, was the question of revenue and taxation known among politicians as the tariff. The administration, having failed in the establishment of their United States bank, and having imposed upon the country, by an expensive war, a most onerous debt, stood

in need of revenue; and the old war party, therefore, supported by the South, came forward with a protective tariff, which, it was supposed, would serve the double purpose of pouring money into the exhausted treasury, and of succoring those infant manufactories, which had started up during the period of the embargo and the war. Pennsylvania, however, was the chief manufacturing state. New England was still devoted to the sea; and, imagining that the freest trade would bring the largest business for its ships, it was jealous of a tariff more protective than what was necessary for the debts and expenses of the government. To protection, for its own sake, the New England states heartily objected; and, in making their opposition to the doctrine of protection, which they thought would lessen trade, and so hurt their business, they looked for support to Mr. Webster. Nor did they look in vain. Mr. Webster was at this time opposed to a high protective tariff, because there were scarcely any manufactures in the country to protect, and because the protective policy was opposed to the business of his constituents. Had the manufacturing interests of the other states been so large as to overbalance the commercial interests of New England, his large patriotism would certainly have led him to sustain the greater in preference to the less. But this was not the case; and he could see no reason why he should vote his constituents out of business, and cause poverty and distress to his friends at home, to foster a much smaller interest abroad. This, he thought, and thought justly, would be pushing a virtue till it became a vice. Admitting, therefore, the constitutionality of a protective tariff, he doubted its expediency at that time. The time might come, when the country as a whole, or large portions of it, would wish to change their natural business of agriculture and commerce, of raising and selling produce, when it would be expedient, of course, to change the policy of legislation so as to meet any new demands of business and the altered wishes

of the people. But that time, he thought, had not yet come. The people, as a whole, did not desire protection, and their business, as a whole, would be injured by it. For these reasons, Mr. Webster opposed the protective tariff of the fourteenth congress; but, notwithstanding his opposition, which was almost insurmountable, the middle and southern states united in its support and carried it through.

Upon this opposition, on the part of Mr. Webster, to the policy of the protective tariff, the old charge of political vacillation has long been urged. The force of the charge, if it is to have any force, must rest on the assumption, that any change in a statesman's opinions, between youth and age, must of necessity demonstrate an inconsistency of character. Is such a premiss, in any of the walks of life, to be admitted? If a man is found guilty of frequent changes, the fact will weaken the public confidence in his judgment. If the many changes happen also to have been experienced suddenly, the person's motives are apt to be suspected. But when a man's opinions, though different at different periods of his life, are known to have come on gradually, about as much so as the maturity of manhood follows upon the immaturity of youth, there is evidence furnished, not of inconsistency, but of consistency, of a natural and healthy growth of mind, of the best development and discipline of the mental and moral faculties. No man, whether citizen, or divine, or statesman, should be afraid to modify or put off opinions, if he take sufficient care in arriving at his ultimate conclusions. But opinions may change from a change in the things respecting which the opinions are entertained. In morals, in divinity, in the exact sciences, this statement will not hold good, because right and wrong, the facts and doctrines of religion, and the axioms and demonstrations of mathematics, are immutable. It is not so with the practical sciences. It is not so in politics. There is no question of legislation that is not liable to fluctuation. To-day, it may be

expedient and politically right to declare war against a foreign nation. To-morrow, the *casus belli* may be removed, which fact would make a declaration of war impolitic and immoral. To-day, the situation of a country may require a general banking institution, and the want of it may be felt as a public evil. To-morrow, circumstances have changed; nobody wants it; and consistency requires of every patriot a corresponding change of opinion and of action. To-day, there may be no reasons for the establishment of a protective tariff. To-morrow, nothing but such a tariff will meet the altered demands of business. Such changes, in fact, are common in all countries; but they are a part and parcel of the condition of new settlements. This country, in its first years, could certainly lay down no general maxims for all future ages. The best that the colonies could do might have been the worst thing for sovereign states. The states themselves, at the commencement of their confederation, were but so many experiments entering into one grand experiment. Their origin, their government, their whole condition, were without a parallel in history. They could look to no precedents for wisdom. New principles had to be applied to new circumstances. No dogmatism would be wisdom. Trials had to be made of such general principles as were at first deemed best; and these principles had to be fitted slowly, and carefully, and with various modifications certainly, to the great problem of American free government. A dogged adherence to first attempts would have been the height of folly. At a time, when all the manufactories in the United States used less capital than is now used in some of the smaller manufacturing towns of Massachusetts, and less than was then employed in the shipping interests of so inconsiderable a sea-port as Salem, it might have been reasonably supposed by Mr. Webster, that he was not called upon to vote for a protective tariff. The facts of the case, however, soon changed. The protective tariff, in spite of his opposition, was carried and became the policy of

the country. Capital began at once to be invested in manufactories. New England itself, finding but a scanty resource in its rocky and comparatively unproductive soil, soon entered largely into this new field of labor. By holding out this legislative encouragement to the business, by which thousands of citizens were led to invest all their means in this direction, government virtually pledged its faith not to disappoint or abandon it. To do so, as many originally opposed to the policy believed, would be a fraud upon the people, which would tend to unsettle, not only their business, but their confidence in our form of government, to which not a few still looked as a doubtful experiment. It would have been a most evil example, to every citizen, in a way virtually to affect the stability and even the morality of every individual in the nation. Mr. Webster, perceiving the new wants of the country in this way produced, and feeling the full force of the positive necessity, that the government should forever keep its faith with all men, and particularly with our own citizens, not only felt at liberty, but felt bound, in view of these changes, from that time to sustain a policy, which, at first, he deemed inexpedient. All that can be said of him is, that the whole country changed, in this respect, making it patriotic for him to change with it. What was once improper had become proper; and he continued to act according to his convictions of the existing though altered demands of a new and rapidly growing country. Had he not done so, he would not have been a statesman, or a philosopher, but a bigot. He would never have been Daniel Webster.

The bill for a United States bank, discussed and amended by Mr. Webster in the previous congress, but lost in the senate, was now again brought forward; and he again introduced his amendments. He particularly opposed, at this second trial, that part of the bill which gave the government a sort of copartnership in the bank. He wished the bank to be entirely independent

of the government, and the government to be as entirely independent of the bank. He thought that a direct and interested alliance, on so vast a scale, between the great money holders of the country and the head of the federal government, was at least dangerous, and might be disastrous. For the bill suitably amended, for a bank properly and constitutionally established, he expressed a decided favor; but he did not think it expedient to incorporate so large a bank and then make it virtually a department of the general government. His opposition had effect; and the bank finally erected was very different from the bank concocted by the cabinet of the current administration. He carried an amendment, "which required *deposits*, as well as the *notes* of the bank, to be paid on demand in specie." But the majority of his amendments were rejected; and, therefore, when the bill came up on its final passage, he voted against it. It was carried, however, and Mr. Webster afterwards became its friend on the same ground, and for the same reason, that he became the friend of a protective tariff, after having exerted himself against it. Once established, the bank raised such expectations, and gave such a new direction to all the capital of the country, that it could not be abolished without great detriment to the business of the nation. Mr. Webster always exerted himself for a settled policy; and he regarded frequent and sudden changes in the laws as an evil to be dreaded and avoided, and frequently as a greater evil than those sought to be remedied by a changeful legislation. "The old building stands well enough," said Burke, "though part Gothic, part Grecian, part Chinese, until an attempt is made to square it into uniformity; then it may come down upon our heads with much uniformity of ruin." In this country, however, the building is scarcely allowed to stand long enough to become old; for our smaller politicians spend their time, as children do, in erecting merely for the sport of tearing down again. Mr. Webster, on the contrary, through his whole life labored to give every great meas-

ure, even that to which he had been somewhat opposed, a fair trial, rather than suddenly to reverse it; and sometimes, as in the case before us, he came to look upon a measure already established as so much better than none at all, or such as could be afterwards secured, that he became the friend and supporter of what he at first did not perfectly approve.

On the 26th of April, 1816, Mr. Webster introduced to the house a series of resolutions, three in number, respecting the collection of the public revenue. For those resolutions, and the speech delivered in advocacy of their passage, the whole country, and particularly New England, owe, and will forever owe, to Mr. Webster a deep debt of gratitude. This one act should be enough to give him a lasting reputation as a statesman and a patriot. The war had been carried through with funds borrowed from the various banking institutions of the several states; and these institutions, encouraged by the clamoring necessities of the government greatly to extend their issues, had so flooded the country with their paper, that, after the peace, there had been a general suspension of specie payments by the banks out of the New England states. The administration, however, with an improper partiality, or a still more improper carelessness, had been able to establish the policy, that the revenue collected in any state might be paid in the bills of the banks of that state, but not in the bills of any other state. New England, for example, could pay her customs only in New England bills, which were everywhere as good as gold; while the other states were permitted to pay in the bills of their respective banks, which, by the suspension, had depreciated on an average nearly twenty-five per cent. In other words, New England paid about twenty-five per cent. more on all goods imported by her—and she was the chief importer—than the other states did on goods which they imported. In addition to the exceeding inequality and injustice of this course, it deranged the exchanges of the whole country,

by giving manifest support to a system of corrupt and fraudulent banking; and there never could have been, under this state of things, such a currency as should inspire confidence, or satisfy the demands of business. Business itself goes down, or becomes hopelessly embarrassed, under such circumstances. It was for this general purpose, therefore, of restoring the currency of the country, and of defending the rights of New England in particular, that Mr. Webster offered his three resolutions on the subject. Two of the resolutions, which simply contained declarations of principles, were withdrawn at the suggestion of those, who, though friends to the object, could not agree with Mr. Webster on the abstract grounds of action. The third resolution put into the hands of the secretary of the treasury power to adopt any measures by him deemed expedient, to cause all sums due to the United States "to be collected and paid in the legal currency of the United States, or treasury-notes, or notes of the bank of the United States, as by law provided and declared, or in notes of banks which are *payable and paid on demand*, in the said legal currency of the United States." That is, all debts due to the government were to be paid, in all the states alike, either in gold and silver, or in the bills of such banks as paid specie at their counters. This was known as the "specie resolution;" and it was the greatest step ever taken by this country to establish, by general law, a currency uniform in every portion of the Union. It met with unexpected favor. The speech made in its behalf is one of the ablest ever made even by Mr. Webster. The measure was so popular, that it passed "through all the stages of legislation," according to Mr. Everett, on the day it was proposed; and, approved by a two-thirds vote, and signed by Mr. Madison four days later, it was at once equally popular outside of congress, and soon regenerated the fallen currency and business of the whole nation.

Thus it happened, that one of the youngest men then in con-

gress, following in a path where Calhoun himself had failed, succeeded, not in securing some trivial grant to some favorite place, or in the passage of some law of local value only, but in establishing a general principle, for all the states of the Union, which has been exerting a most salutary influence upon every citizen from that day forward, and which will exert it, if permitted to remain, so long as the United States shall continue to be a country. Such, even then, was the character of the youthful representative. His mind was not satisfied with efforts of limited importance. He looked over the whole land with a broad and comprehensive vision. He looked through the future, and sought to set up influences that should be felt in coming times. "Cases are dead things," said Burke, "but principles are living and productive;" and this, even at the opening of his career, seemed to be the leading maxim of that remarkable young congressman, whom the world began now to know under the name of Daniel Webster.

CHAPTER VII.

A LAWYER IN MASSACHUSETTS.

"WHATEVER else concerning him has been controverted by anybody," says Mr. Seward, a rival and yet a friend of Webster, "the fifty thousand lawyers of the United States, interested to deny his pretensions, conceded to him an *unapproachable* supremacy at the bar." This, certainly, is a eulogy sufficient for the ambition of any man; but it is a eulogy which had been anticipated, and repeated by the ablest jurists, civilians, barristers and attorneys of this country, for the last thirty years. All of them, without an exception, when comparing him with the most distinguished of his profession, have accorded to him this preëminence:

"Quantum lenta solent inter viburna cupressi."

With all the honors and triumphs of his public life, which, for a man so young, surpassed all precedent on this side of the Atlantic, Daniel Webster still looked to the scenes he had left behind him, and to the profession he so dearly valued, with desire, with ambition, and with hope. "I am sick," said William Wirt, in a letter to his intimate friend, Dr. Rice, "of public life. My skin is too thin for the business. A politician should have the hide of a rhinoceros to bear the thrusts of the folly, ignorance and meanness of those, who are disposed to mount into momentary consequence by questioning their betters — if I may be excused the expression, after professing my modesty. 'There's nought but care on every hand'

— all, all is vanity and vexation of spirit, save religion, friendship and literature." Not for the same reason, for no thrusts had been made at Webster, but for his love of retirement and of domestic tranquillity, he longed to return, after this brief trial of himself before the country, to his books, to his private business, and to that dignified and yet easy way of life, divided between work and recreation, which had always been to him the ideal of existence. By natural taste, he was rather a literary man, than a politician; but his studies, his profession, his position in society, compelled him to be, in spite of his strongest resolutions, and wherever he placed himself, a man of the public. A star of the first magnitude, created for a luminary and a blessing, might as well hold its position in the zenith, as on the verge of the horizon; for, hide itself where it might, its own brilliancy would betray it; and men would climb mountains, or descend into pits and caverns, to witness and admire it.

It was thus with Daniel Webster in the retirement he sought, at the close of the fourteenth congress, in Boston. His position in New Hampshire, though highly honorable, had not been sufficiently lucrative for a man of his generosity of character, with an increasing family. Though he had no great love of money, scarcely enough for the ordinary purposes of life, he had felt that he was doing too little for himself in Portsmouth, and that he must establish himself at a point where he would be likely to find a larger amount of practice. He had thought of several localities, but chiefly of Boston and Albany, in both of which, as the reader will remember, he had made valuable acquaintances in his younger days. Albany, at that time, was not only, as it is now, the capital of the most populous of the states, but a city of greater commercial importance, comparatively, than it is at present. Boston, however, was the capital of Massachusetts, and the metropolis of New England; and Mr. Webster's affection for his native country, added to the

solicitations of numerous warm and admiring friends, had prevailed on him to make Boston the place of his future residence; and he had moved to that city, and opened an office, at the termination of the first session of the fourteenth congress. It was here, during the succeeding seven years, that Mr. Webster rose to that eminence as a lawyer, which he ever afterwards maintained. "The promise of his youth," says Mr. Everett, "and the expectations of those who had known him as a student, were more than fulfilled. He took a position as a counselor and an advocate, above which no one has ever risen in the country. A large share of the best business of New England poured into his hands; and the veterans of the Boston bar admitted him to an entire equality of standing, repute, and influence."

His position, however, was not gained without an effort. With his residence in Boston, Mr. Webster began a more thorough course of reading, as a lawyer, and particularly as a constitutional lawyer, than he had ever before undertaken. His short career in congress had shown him, probably, more than all his former experience, the peculiar nature of his genius. He saw, that, while he could stand equal to his first competitors in the ordinary departments of his profession, he was more than their equal in his fitness for those general questions, coming directly under the constitutions of the states, and the constitution of the Union, which require the best exercise of the best faculties of the human mind. His mind ran in that direction. He was always looking to the foundation of every subject; and he delighted to lay down his work, his argument, his business, on the bottom of established truths, or everlasting principles. There is no doubt, that, in the intricacies of common practice, such as every lawyer meets with in every court, Mr. Webster had, then and always, his equals if not superiors. In this department, it is probable that Jeremiah Mason, Jeremiah Smith, Franklin Dexter, and several others in New En

gland, were nearly a match for him in his best days; but not one of them could stand before him, when he rose to trace a cause to its ultimate grounds, or deduce it from the secret elements of human nature. Farther south, there were Emmett, and Wirt, and Pinckney, who, as advocates merely, on an occasion not entirely of the first magnitude, but such as a great deal of technical learning, an exquisite tact, and a finished and fine elocution could easily cope with, could venture to meet Mr. Webster even before the supreme court at Washington; but, as will be soon seen, when a cause involving fundamental axioms, and reasoning *ab origine*, and a thorough mastery of the structure of society was to be undertaken, the technicalities, and legal artifices, and racy eloquence of those gentlemen, captivating as they were to a crowd of uninitiated spectators, were nothing in the way of Mr. Webster. He scarcely seemed to notice them. He would walk directly up to the main points of his case, seize them with a mighty grasp, and hold them, as a lion holds his prey, in perfect defiance of the rattling small arms of his assailants. In this field, in fact, he was always entirely at home, and more than the equal of any man of his age, or of his country, with the single exception, perhaps, of Alexander Hamilton.

The first cause of public importance, which Mr. Webster undertook after his removal to Boston, was the celebrated defense of the Kennistons against Goodridge, who had charged them with highway robbery. So few of Mr. Webster's legal arguments have been reported, and the case now mentioned furnishes so characteristic a view of his peculiar talents, that the careful reader will not fail to peruse with pleasure, doubtless, quite a full and satisfactory account of it, which was written out, at the time, by Stephen W. Marston, Esq., of Newburyport, who was associated with Mr. Webster in the trial: "Major Goodridge," says the writer, "was a young man of good education, and respectable connections, of fine personal appear-

ance, gentlemanly deportment, and good character. His place of business was Bangor, Maine, and, at the time of the alleged robbery, he was on his way to Boston, traveling in a one-horse sleigh, alone, with a considerable sum of money. Before leaving home he procured a pair of pistols, which he discharged and loaded daily, as he said, in some unfrequented piece of woods, for he did not wish it to be known that he was armed. He said, moreover, that he took the precaution to put a private mark upon every piece of money in his possession, so as to be able to identify it if he should be robbed. His somewhat singular reason for these preliminary measures was, that he had heard of a robbery in Maine, not long before.

"When he arrived at Exeter, New Hampshire, he procured nine balls, and then, for the first time, made no secret of having pistols. At this place he left his sleigh, obtained a saddle, and started for Newburyport on horseback, late in the afternoon of the 19th of December, [1817] passing the Essex Merrimack bridge a few minutes before nine o'clock. On the brow of the hill, a short distance from the bridge, is the place of the robbery, in full view of several houses, on a great thoroughfare, where people are constantly passing, and where the mail coach and two wagons were known to have passed within a few minutes of the time of the alleged robbery.

"The major's story was as follows: Three men suddenly appeared before him, one of whom seized the bridle of the horse, presented a pistol, and demanded his money. The major, pretending to be getting his money, seized a pistol from his portmanteau with his right hand, grasped the ruffian at the horse's head with his left, and both discharged their pistols at the same instant, the ball of his adversary passing through the major's hand. The three robbers then pulled him from his horse, dragged him over the frozen ground, and over the fence, beating him till he was senseless, and robbed him of about seventeen hundred dollars in gold and paper money, and left him

with his gold watch and all his papers in the field. Recovering in about half an hour, he went back to the bridge; passed several houses without calling, and, at the toll-house, accused the first person he met with, a female, of robbing him; and so continued charging various people about him with the robbery. After some time a lantern was procured, and himself with others started for the place of the robbery, where were found his watch, papers, penknife and other articles. He represented to them that the robbers had bruised his head, stamped upon his breast, and stabbed him in several places. Physicians were called; and he appeared to be insane. The next day he went to Newburyport, and was confined to his bed for several weeks. A reward of three hundred dollars, soon increased by voluntary subscriptions to one thousand, was offered for the detection of the robbers and the recovery of the money. As soon as the major was able to leave his bed, he went to Danvers, consulted his friends there; and the result of his deliberations and inquiries was the arrest of the Kennistons, who were found in an obscure part of the town of New Market, New Hampshire, their place of residence. In their house the major found some pieces of his marked gold, deposited under a pork barrel in the cellar. He also found there a ten-dollar note, which he identified as his own.

"This was proof indeed of the facts of the robbery, which seemed for a time effectually fastened on the Kennistons. But one circumstance after another came to light, in regard to the transaction, until some people felt doubts creeping over their minds as to the truthfulness of the major's story. These were few in number, it is true; but such an intimation, coming from any respectable source, was enough to startle the major and his friends from their apathy, and incite them to renewed efforts to probe this dark and mysterious transaction to its depths. The result was to search the house of Mr. Pearson, the toll-gatherer at the bridge; but here nothing was found.

They then procured the services of an old conjuror of Danvers, Swimmington by name, and, under his direction, with witch-hazel and metallic rods, renewed their search upon Mr. Pearson's premises, this time discovering the major's gold and paper wrappers. Mr. Pearson was arrested, carried to Newburyport, examined before two magistrates, and discharged at once. This operation proved most unpropitious to the major's plans. So great was the indignation of Mr. Pearson's friends, for he was a respectable man, that they lost all control over themselves, and, after the examination, detaching the horses from the sleigh, they drew him home themselves.

"It now became more necessary than ever, that some one should be found, who might be connected with the Kennistons in the robbery; for the circumstances in relation to these men were such, that the public could not believe that they had received a portion of the spoil. The next step, therefore, was to arrest one Taber of Boston, who had formerly lived in Portland, and whom Goodridge said he had seen at Alfred on his way up, and from whom he pretended to have obtained information in regard to the Kennistons. In Taber's house were found a number of the marked wrappers, which the major had put round his gold before leaving home. Taber was likewise brought to Newburyport, examined, and bound over for trial with the Kennistons.

"Notwithstanding all this accumulation of evidence, the public were not satisfied. It seemed to be necessary that somebody living near the bridge should be connected with the transaction; and Mr. Joseph Jackman was fastened upon as that unfortunate man, he having left Newbury for New York very soon after the alleged robbery. Thither Goodridge immediately proceeded, found Jackman, who was living then with his brother, searched the house, and in the garret, among some old rubbish, found a large number of his marked wrappers! The major's touch was magical, and underneath his fingers gold and

bank-notes grew in plenty. Jackman was arrested and lodged in 'the Tombs,' while Goodridge returned to Boston, got a requisition from the governor, and had him brought in irons to Ipswich, where the supreme judicial court was then in session. The grand jury had risen, but he was examined before a magistrate, and ordered to recognize to appear at the next term—which he did, and was discharged. An indictment had been found against the Kennistons and Taber; and the time of trial had arrived. Notwithstanding the doubts and suspicions, which had been excited by the conduct of Goodridge, yet the evidence against the Kennistons, Taber and Jackman was so overwhelming, that almost every one felt sure of their conviction. To such an extent did this opinion prevail, that no member of the Essex bar was willing to undertake their defense. Under these circumstances, two or three individuals, who had been early convinced that the major's stories were false from beginning to end, determined, the day before the trial, to send to Suffolk for counsel. Mr. Webster had just then removed to Boston from Portsmouth. His services were engaged; and, *late in the night preceding the day of trial*, he arrived at Ipswich, having had no opportunity to examine the witnesses, and but little time for consultation. The indictment against Taber was *nol prossed*, and the trial of the Kennistons was commenced. Mr. Webster, as senior counsel, conducted the defense with a degree of ability, boldness, tact and legal learning, which had rarely been witnessed in Essex county; and, notwithstanding the accumulated mass of evidence against the Kennistons, they were acquitted.

"At the next term of the supreme judicial court, Jackman was indicted and tried, but the jury did not agree, though the Hon. William Prescott had been employed to assist the prosecuting officer. Jackman was again tried at the next term of the court, and this time defended by Mr. Webster, and acquitted.

"The criminal prosecutions growing out of this affair being thus ended, Mr. Pearson commenced an action against Goodridge for malicious prosecution, laying his damages at two thousand dollars, which sum the jury awarded him without leaving their seats. In this case, also, Mr. Webster was counsel for the plaintiff; and time had brought forth so many new facts, and the evidence was so clear and overwhelming against Goodridge, that the public became satisfied that he was his own robber! He was surrendered by his bail, committed to jail, took the poor debtors' oath, and soon after left the commonwealth, and has not resided here since. The public rarely stop to consider how much they are indebted to men like Webster for laying bare the villainy of such a deep-laid and diabolical plot. But for him, there is no doubt the Kennistons and Jackman would have been convicted of highway robbery, though innocent."

It was undeniably Mr. Webster's custom, in every trial which he conducted, to make every preparation essential to the case; but they who imagine that, without such preparation, he was no more than an ordinary man, as if he had no great readiness of speech, should read his argument in this prosecution. Without a day's opportunity for study, with only a few hours' reading of the notes of the junior counsel, he stood up before the jury and made such a defense of his clients, as none but a Pitt, or a Fox, or a Burke could have made, with or without preparation. When he sat down, he had convinced the judgment and moved the sympathies of every man that heard him speak; and in every one's estimation, court, lawyers, spectators, he had given them the exact truth, and made an effort worthy of being remembered for a generation. It was remembered; and it may continue to be read and admired, in the rough notes taken of it at the moment by another hand, and revised by himself, as long as legal abilities and forensic eloquence shall engage the attention of mankind.

There was one topic in the argument of Mr. Webster, which,

judged from the hasty report already mentioned, must have wrought up the advocate to his highest pitch of eloquence. The witnesses had spoken of the appearance of the prisoners when apprehended; and the counsel for the prosecution had dwelt on that appearance as conclusive evidence of their guilt. Having followed out all the direct evidence in the case, and shown the absolute futility of the whole, he then addressed himself to this poor attempt to bring testimony against his cli ents out of their behavior when arrested, and set forth a principle which neither justice nor charity should ever overlook: "The witnesses on the part of the prosecution," says the advocate, "have testified that the defendants, when arrested, manifested great agitation and alarm. Paleness overspread their faces, and drops of sweat stood on their temples. This satisfied the witnesses of the defendants' guilt; and they now state the circumstances as being indubitable proof. This argument manifests, in those who use it, an equal want of sense and sen sibility. It is precisely fitted to the feelings of a bum-bailiff. In a court of justice it deserves nothing but contempt. Is there nothing that can agitate the frame, or excite the blood, but the consciousness of guilt? If the defendants were innocent, would they not feel indignation at this unjust accusation? If they saw an attempt to produce false evidence against them, would they not be angry? And, seeing the production of such evidence, might they not feel fear and alarm? And have indignation, and anger, and terror, no power to affect the human countenance, or the human frame? Miserable, miserable, indeed, is the reasoning which would infer any man's guilt from his agitation when he found himself accused of a heinous offense; when he saw evidence which he might know to be false and fraudulent brought against him; when his house was filled, from garret to cellar, by those whom he might esteem as false witnesses; and when he himself, instead of being at liberty to observe their conduct and watch their motions, was a prisoner

in close custody in his own house, with the fists of a catchpoll clenched upon his throat." But it is impossible now, from any thing that remains, to give a just idea of the eloquence of that hour and place. It has gone, with nearly all the forensic eloquence of him, who never had his superior in our courts, never to be recalled, perhaps never to be surpassed.

On the 10th day of March, 1818, Mr. Webster made his first appearance before the supreme court of the United States at Washington; and it is remarkable, that the cause which brought him there was that of the trustees of Dartmouth College, his Alma Mater, against William H. Woodward, who represented in the suit the state of New Hampshire, Mr. Webster's native state. The nature of the case, and the leading circumstances connected with it, have been given with great clearness by Mr. Webster: "The charter of 1769," says he, in the opening of his argument, "created and established a corporation to consist of twelve persons, and no more, to be called the 'Trustees of Dartmouth College.' The preamble to the charter recites, that it is granted on the application and request of Rev. Eleazer Wheelock; that Dr. Wheelock, about the year 1754, established a charity school, at his own expense, and on his own estate and plantation; that for several years, through the assistance of well-disposed persons in America, granted at his solicitation, he had clothed, maintained and educated a number of native Indians, and employed them afterwards as missionaries and schoolmasters among the savage tribes; that, his design promising to be useful, he had constituted the Rev. Mr. Whitaker to be his attorney, with power to solicit contributions in England, for the further extension and carrrying on of his undertaking; that he had requested the Earl of Dartmouth, Baron Smith, Mr. Thornton, and other gentlemen, to receive such sums as might be contributed, in England, towards supporting his school, and to be trustees thereof, for his charity, which these persons had agreed to do; that thereupon Dr.

Wheelock had executed to them a deed of trust, in pursuance of such agreement between him and them, and, for divers good reasons, had referred it to those persons to determine the place in which the school should be finally established. And, to enable them to form a proper decision on this subject, had laid before them the several offers which had been made to him by the several governments in America, in order to induce him to settle and establish his school within the limits of such governments for their own emolument, and the increase of learning in their respective places, as well as for the furtherance of his general original design. And, inasmuch as a number of the proprietors of land in New Hampshire, animated by the example of the governor himself and others, and in consideration that, without any impediment to its original design, the school might be enlarged and improved, to promote learning among the English, and to supply ministers to the people of that province, had promised large tracts of land, provided the school should be established in that province, the persons before mentioned, having weighed the reasons in favor of the several places proposed, had given the preference to this province, and to these offers. That Dr. Wheelock therefore represented the necessity of a legal incorporation, and proposed that certain gentlemen in America, whom he had already named and appointed in his will to be trustees of his charity after his decease, should compose the corporation. Upon this recital, and in consideration of the laudable original design of Dr. Wheelock, and willing that the best means of education be established in New Hampshire, for the benefit of the province, the king granted the charter, by the advice of his provincial council.

"The substance of the facts thus recited is, that Dr. Wheelock had founded a charity, on funds owned and procured by himself; that he was at that time the sole dispenser and sole administrator, as well as legal owner, of these funds; that he had made his will, devising this property in trust, to continue

the existence and uses of the school, and appointed trustees; that in this state of things, he had been invited to fix his school, permanently, in New Hampshire, and to extend the design of it to the education of the youth of that province; that, before he removed his school, or accepted this invitation, which his friends in England had advised him to accept, he applied for a charter, to be granted, not to whomsoever the king or government of the province should please, but to such persons as he named and appointed, namely, the persons whom he had already appointed to be the future trustees of his charity by his will.

"The charter, or letters patent, then proceed to create such a corporation, and to appoint twelve persons to constitute it, by the name of the 'Trustees of Dartmouth College;' to have perpetual existence, as such corporation, and with power to hold and dispose of lands and goods, for the use of the college, with all the ordinary powers of corporations. They are in their discretion to apply the funds and property of the college to the support of the president, tutors, ministers, and other officers of the college, and such missionaries and schoolmasters as they may see fit to employ among the Indians. There are to be twelve trustees forever, *and no more;* and they are to have the right of filling vacancies occurring in their own body. The Rev. Mr. Wheelock is declared to be the founder of the college, and is by the charter appointed first president, with power to appoint a successor by his last will. All proper powers of government, superintendence, and visitation are vested in the trustees. They are to appoint and remove all officers at their discretion; fix their salaries, and assign their duties; and to make all ordinances, orders, and laws for the government of the students. To the end that the persons, who had acted as depositaries of the contributions in England, and who had also been contributors themselves, might be satisfied of the good use of their contributions, the president was annually, or when

required, to transmit to them an account of the progress of the institution and the disbursments of its funds, so long as they should continue to act in that trust. These letters patent are to be good and effectual, in law, against the king, *his heirs and successors forever*, without further grant or confirmation; and the trustees are to hold all and singular those privileges, advantages, liberties, and immunities, to them and their successors forever.

"No funds are given to the college by this charter. A corporate existence and capacity are given to the trustees, with the privileges and immunities which have been mentioned, to enable the founder and his associates the better to manage the funds which they themselves had contributed, and such others as they might afterwards obtain.

"After the institution thus created and constituted had existed, uninterruptedly and usefully, nearly fifty years, the legislature of New Hampshire passed the acts in question.

"The first act makes the twelve trustees under the charter, *and nine other individuals*, to be appointed by the governor and council, a corporation, by a new name; and to this new corporation transfers all the *property*, *rights*, *powers*, *liberties* and *privileges*, of the old corporation; with further power to establish new colleges and an institute, and to apply all or any part of the funds to those purposes; subject to the power and control of a board of twenty-five overseers, to be appointed by the governor and council.

"The second act makes further provisions for executing the objects of the first; and the last act authorizes the defendant, the treasurer of the plaintiffs, to retain and hold their property, against their will."

The declaration of the plaintiffs, who were the original twelve trustees, was that of "trover for the books of record, original charter, common seal, and other corporate property of the college. The conversion was alleged to have been made on the

7th day of October, 1816. The proper pleas were filed; and by consent the cause was carried directly to the superior court of New Hampshire, by appeal, and entered at the May term, 1817. The general issue was pleaded by the defendant and joined by the plaintiffs. The facts in the case were then agreed upon by the parties, and drawn up in the form of a special verdict, reciting the charter of the college and the acts of the legislature of the state, passed June and December, 1816, by which the said corporation of Dartmouth College was *enlarged* and *improved*, and the said charter *amended*."

The question at issue between the parties was, whether the acts of the legislature of New Hampshire, which destroyed a corporation and made a new one, were binding upon the old corporation without its consent, if they were not contrary to the constitution of the United States.

"The cause was continued"—this is probably the language of Mr. Webster, though it is given under the name of Mr. Everett—"to the September term of the court in Rockingham county, where it was argued; and at the November term of the same year, in Grafton county, the opinion of the court was delivered by Chief Justice Richardson, in favor of the validity and constitutionality of the acts of the legislature; and judgment was entered for the defendant on the special verdict. Thereupon a writ of error was sued out by the original plaintiffs, to remove the cause to the supreme court of the United States, where it was entered at the term of the court holden at Washington on the first Monday of February, 1818. The cause came on for argument on the 10th of March, 1818, before all the judges. It was argued by Mr. Webster and Mr. Hopkinson for the plaintiffs in error, and by Mr. Holmes (of Maine) and the attorney general (Mr. Wirt) for the defendant in error. At the term of the court holden in February, 1819, the opinion of the judges was delivered by Chief Justice Marshall, declaring the acts of the legislature unconstitutional and

invalid, and reversing the judgment of the state court. The court, with the exception of Mr. Justice Duvall, were unanimous."

Such is a general account of Mr. Webster's first cause before that high tribunal where he was afterwards to stand as second to no living man. The effort made at this time, in fact, was the effort that lifted him far above his associates—above Hopkinson, Holmes, and even Wirt — above Emmett and Pinckney themselves—above every American advocate, living or dead, with the exception before made of Alexander Hamilton. For fairness and clearness of statement, for research that left nothing below or beyond it, for apt and various learning, for a most powerful grasp of the true points in the case, for thorough and incontrovertible logic, for a masterly force, felicity and fitness of expression, for every element, in truth, that goes in to constitute a peformance of power and genius, his argument in this cause may be pointed to as almost a finished model of forensic eloquence.

This masterly performance is not given in full in the works of Mr. Webster. The peroration is entirely wanting. This, if we are to judge from the opinions expressed of it by others, must have been possessed of transcendent power: "Mr. Webster's argument," says Mr. Ticknor, who edited the first collection of Mr. Webster's speeches, "is given in this volume; that is, we have there the technical outline; the dry skeleton. But those who heard him when it was originally delivered, still wonder how such dry bones could ever have lived with the power they there witnessed and felt. He opened his cause, as he always does, with perfect simplicity in the general statement of its facts, and then went on to unfold the topics of his argument in a lucid order, which made each position sustain every other. The logic and the law were rendered irresistible. But as he advanced, his heart warmed to the subject and the occasion. Thoughts and feelings that had grown old with his best

affections, rose unbidden to his lips. He remembered that the institution he was defending was the one where his own youth had been nurtured; and the moral tenderness and beauty this gave to the grandeur of his thoughts, the sort of religious sensibility it imparted to the urgent appeals and demands for the stern fulfillment of what law and justice required, wrought up the whole audience to an extraordinary state of excitement. Many betrayed strong agitation, many were dissolved in tears. Prominent among them was that eminent lawyer and statesman, Robert Goodloe Harper, who came to him when he resumed his seat, evincing emotions of the highest gratification. When he ceased to speak, there was a perceptible interval before any one was willing to break the silence; and when that vast crowd separated, not one person of the whole number doubted that the man who had that day so moved, astonished, and controlled them, had vindicated for himself a place at the side of the first jurists of the country."

The best account of this great performance, and of the effect it had upon those who heard it, was drawn out, only a short time since, by the agency of the Hon. Rufus Choate, on the occasion of his delivering his remarkable discourse commemorative of Daniel Webster. It came to him from the pen of Professor Goodrich, of Yale College, who went to Washington on purpose to hear Mr. Webster: "Before going to Washington," says Dr. Goodrich, "which I did chiefly for the sake of hearing Mr. Webster, I was told that, in arguing the case at Exeter, New Hampshire, he had left the whole court-room in tears at the conclusion of his speech. This, I confess, struck me unpleasantly—any attempt at pathos on a purely legal question like this, seemed hardly in good taste. On my way to Washington, I made the acquaintance of Mr. Webster. We were together for several days in Philadelphia, at the house of a common friend; and as the college question was one of deep interest to literary men, we conversed often and

largely on the subject. As he dwelt on the leading points of the case, in terms so calm, simple, and precise, I said to myself more than once, in reference to the story I had heard, 'Whatever may have seemed appropriate in defending the college at *home*, and on her own ground, there will be no appeal to the feelings of Judge Marshall and his associates at Washington.' The supreme court of the United States held its session, that winter, in a mean apartment of moderate size, the capitol not having been built after its destruction in 1814. The audience, when the case came on, was therefore small, consisting chiefly of legal men, the *élite* of the profession throughout the country. Mr. Webster entered upon his argument in the calm tone of easy and dignified conversation. His matter was so completely at his command that he scarcely looked at his brief, but went on for more than four hours with a statement so luminous, and a chain of reasoning so easy to be understood, and yet approaching so nearly to absolute demonstration, that he seemed to carry with him every man of his audience without the slightest effort or weariness on either side. It was hardly *eloquence*, in the strict sense of the term; it was pure reason. Now and then, for a sentence or two, his eye flashed and his voice swelled into a bolder note, as he uttered some emphatic thought; but he instantly fell back into the tone of earnest conversation, which ran throughout the great body of his speech. A single circumstance will show you the clearness and absorbing power of his argument: I observed that Judge Story, at the opening of the case, had prepared himself, pen in hand, as if to take copious minutes. Hour after hour I saw him fixed in the same attitude, but, as far as I could perceive, with not a note on his paper. The argument closed, and *I could not discover that he had taken a single note.* Others around me remarked the same thing, and it was among the *on dits* of Washington, that a friend spoke to him of the fact with surprise, when the judge remarked, 'everything was so

clear, and so easy to remember, that not a note seemed necessary, and, in fact, I thought little or nothing about my notes.'

"The argument ended. Mr. Webster stood for some moments silent before the court, while every eye was fixed intently upon him. At length, addressing the chief justice, Marshall, he proceeded thus:

"'*This, sir, is my case!* It is the case, not merely of that humble institution, it is the case of every college in our land. It is more. It is the case of every eleemosynary institution throughout our country—of all those great charities founded by the piety of our ancestors to alleviate human misery, and scatter blessings along the pathway of life. It is more! It is, in some sense, the case of every man among us who has property of which he may be stripped, for the question is simply this: Shall our state legislatures be allowed to take *that* which is not their own, to turn it from its original use, and apply it to such ends or purposes as they, in their discretion, shall see fit?

"'Sir, you may destroy this little institution; it is weak; it is in your hands! I know it is one of the lesser lights in the literary horizon of our country. You may put it out. But if you do so, you must carry through your work! You must extinguish, one after another, all those great lights of science, which, for more than a century, have thrown their radiance over our land!

"'It is, sir, as I have said, a small college. And yet, *there are those who love it!*'

"Here the feelings which he had thus far succeeded in keeping down, broke forth. His lips quivered; his firm cheeks trembled with emotion; his eyes were filled with tears, his voice choked, and he seemed struggling to the utmost simply to gain that mastery over himself, which might save him from an unmanly burst of feeling. I will not attempt to give you

the few broken words of tenderness in which he went on to speak of his attachment to the college. The whole seemed to be mingled throughout with the recollections of father, mother, brother, and all the trials and privations through which he had made his way into life. Every one saw that it was wholly unpremeditated, a pressure on his heart, which sought relief in words and tears.

"The court-room during these two or three minutes presented an extraordinary spectacle. Chief Justice Marshall, with his tall and gaunt figure bent over as if to catch the slightest whisper, the deep furrows of his cheek expanded with emotion, and eyes suffused with tears; Mr. Justice Washington at his side, with his small and emaciated frame and countenance more like marble than I ever saw on any other human being—leaning forward with an eager, troubled look; and the remainder of the court, at the two extremities, pressing, as it were, toward a single point, while the audience below were wrapping themselves round in closer folds beneath the bench to catch each look, and every movement of the speaker's face. If a painter could give us the scene on canvas — those forms and countenances, and Daniel Webster as he then stood in the midst, it would be one of the most touching pictures in the history of eloquence. One thing it taught me, that the *pathetic* depends not merely on the words uttered, but still more on the estimate we put upon him who utters them. There was not one among the strong-minded men of that assembly who could think it unmanly to weep, when he saw standing before him the man who had made such an argument, melted into the tenderness of a child.

"Mr. Webster had now recovered his composure, and fixing his keen eye on the chief justice, said, in that deep tone with which he sometimes thrilled the heart of an audience:

"'Sir, I know not how others may feel,' (glancing at the opponents of the college before him, some of whom were its for-

mer graduates,) 'but, for myself, when I see my Alma Mater surrounded, like Cæsar in the senate house, by those who are reiterating stab upon stab, I would not, for this right hand, have her turn to me, and say, *Et tu quoque mi fili! And thou too, my son!*'

"He sat down. There was a death-like stillness throughout the room for some moments; every one seemed to be slowly recovering himself, and coming gradually back to his ordinary range of thought and feeling."

Were we forming a judgment of this great address, merely as a rhetorical performance, it would be quite sufficient to have the testimony of literary men; but the philosophical reader will wish to know how it stood among gentlemen of the law. The opinion of the legal profession, perhaps without an exception, has been given by George S. Hillard, Esq., himself a lawyer of eminence, and a literary man of rising reputation. "The Dartmouth College case," says Mr. Hillard, "which has already been mentioned, may be briefly referred to again, since it forms an important era in Mr. Webster's life. His argument in that case stands out among his other arguments, as his speech in reply to Mr. Hayne, among his other speeches. No better argument has been spoken in the English tongue in the memory of any living man, nor is the child that is born to-day likely to live to hear a better. Its learning is ample, but not ostentatious; its logic irresistible; its eloquence vigorous and lofty. I have often heard my revered and beloved friend, Judge Story, speak with great animation of the effect he then produced upon the court. 'For the first hour,' said he, 'we listened to him with perfect astonishment; for the second hour, with perfect delight; and for the third hour, with perfect conviction.' It is not too much to say, that he entered the court on that day a comparatively unknown name, and left it with no rival but Pinckney. All the words he spoke on that occasion have not been recorded. When he had exhausted the re-

sources of learning and logic, his mind passed naturally and simply into a strain of feeling not common to the place. Old recollections and early associations came over him, and the vision of his youth rose up. The genius of the institution where he was nurtured seemed standing by his side in weeds of mourning, with a countenance of sorrow. With suffused eyes, and faltering voice, he broke into an unpremeditated strain of emotion, so strong and so deep, that all who heard him were borne along with it. Heart answered to heart as he spoke, and, when he ceased, the silence and tears of the impassive bench, as well as of the excited audience, were a tribute to the truth and power of feeling by which he had been inspired."

In the year 1820, the District of Maine, formerly belonging to Massachusetts, became a state; it was necessary, in consequence of this fact, that the manner of constituting the Massachusetts senate should be revised; and this necessity led to a convention, which had power given it to revise the constitution of the commonwealth. At that time, Mr. Webster had been but four years a citizen of Boston; but they had been such years of triumph, that he was at once appointed a member of the convention. In that capacity, he was brought into immediate contact with much of the first talent of the state; the venerable John Adams, ex-president of the United States, now eighty-six years of age, was a member of the convention; but Mr. Webster was welcomed as warmly as any other member of the body. So highly were his talents and discretion esteemed, that he was made chairman of the committee on oaths as a qualification for office, the most delicate and difficult topic that was to come before the convention. After no little deliberation and discussion in the committee, he reported an amendment to the sixth chapter of the second part of the old constitution, the general import of which was, that, instead of the religious oaths and ecclesiastical subscriptions formerly required, which shut out from public employment all who did not make

an external profession of religion, a simple oath of allegiance to the commonwealth and of a purpose to serve the state with fidelity and integrity was all that should afterwards be required as a religious qualification for any office. In defense of this new principle, he made a brief but characteristic speech, in which he expressly concedes the *right* which the people have, if they see fit, to affix any qualification, religious or otherwise, as a test of office; but, at the same time, he argues against the *expediency* of any such test, particularly in Massachusetts, where the general sentiment of the people is favorable to christianity. He thinks, however, that some recognition of the christian religion ought to be comprised within the constitution of the state; and he is the more willing to dispense with the test oath, because in the new instrument there is retained a passage, which makes the strongest acknowledgment of the providence of God and the blessings of his revealed word. "I believe I have stated," says Mr. Webster, in the conclusion of his speech, "the substance of the reasons which appeared to have weight with the committee. For my own part, finding this declaration in the constitution, and hearing of no practical evil resulting from it, I should have been willing to retain it, unless considerable objection had been made to it. If others were satisfied with it, I should be. I do not consider it, however, essential to retain it, as there is another part of the constitution which recognizes, in the fullest manner, the benefits which civil society derives from those christian institutions which cherish piety, morality, and religion. I am clearly of opinion, that we should not strike out of the constitution all recognition of the christian religion. I am desirous, in so solemn a transaction as the establishment of a constitution, that we should keep in it an expression of our respect and attachment to christianity—not, indeed, to any of its peculiar forms, but to its general principles."

While a member of this convention, Mr. Webster delivered another speech, on the Basis of the Senate, which has been

made the foundation of a charge, long retained and frequently repeated, against his political reputation. It is the charge, that, at this time, and in this critical business, he gravely advocated the propriety of making property the basis of representation. This charge is without foundation. It has been urged chiefly by newspaper politicians, who, perhaps, never read the speech which was made the ground of the charge. It has been made, and urged, and repeated by men, who had no great amount of discrimination, or who did not intend to give a perfectly fair account of Mr. Webster. The truth is, in fact, not that Mr. Webster would have made property *the* basis of representation in Massachusetts, but that he thought it wise to make it *a* basis— that *property* should be respected as well as *persons*— in the constitution of a mixed government, where *persons* and *property* are the objects of all legislation, and where *property* has to pay for the protection which the government gives to *persons*. The doctrine he advocated was only the doctrine of the Revolution, that representation and taxation should always go together. This principle, however, he did not wish to apply to representation in general, but only to the constitution of the senate, the senate of Massachusetts. As the house, according to other provisions of the new constitution, was to be the popular branch, representing the people as *persons*, he thought it expedient that the senate should represent the same people as holders of *property*, that both property and persons might be represented, and thus effect a balance between the two great interests which are known as the exclusive topics in all governments, in all jurisprudence, in all legislation. He thought with Aristotle, with Bacon, with Sir Walter Raleigh, with Montesquieu, with Harrington, whom the fathers of the nation most admired, most read, most trusted, not that the property of the rich only should be acknowledged as an existing fact in a free government, but that all the property of the commonwealth, the poor man's shilling as much as the land-

lord's acre, should be recognized, respected and represented somewhere; and, in the case before him, and for the reason just mentioned, he thought that that recognition, respect and representation could, with the greatest propriety, be permitted to exist in the senate.

It was while Mr. Webster was a member of the constitutional convention of Massachusetts, that he was called upon by the Pilgrim Society at Plymouth, to deliver an address on the occurrence of the centennial celebration of the landing of the Pilgrim Fathers. The invitation was an honorable but merited distinction for Mr. Webster. If the reader will remember how many and what able men, eloquent men, men able and eloquent in the highest stations, were then living in New England, and even in Massachusetts, he will see how great an honor it was to a young man, then but thirty-eight years of age, to be summoned from the midst of his superiors in age and office to this high duty. Massachusetts had no festival, as she has none now, comparable with this for the hold it has upon the sympathies of the people. It is a festival, too, of the whole nation. All Americans turn to it, and turn to the ever memorable day, the 22d of December, as the birth-day, not of one republic, but of a continent of republics. Where was the man, who, with fitting character, dignity and eloquence, could stand up and represent Massachusetts, represent New England, represent every state in the union, and do them all honor in the service? It was a young man, the son of a New England farmer, who, but a few years before, had been keeping an academy in an obscure village, that he might assist a brother and pay up the expense of his own education. But it was Daniel Webster. In that name, even then, after all that had been seen of him, and heard from his lips, there was a confidence that would have trusted him anywhere, on any emergency, on the most august occasion. Well did he answer to that confidence. Nobly did he meet the expectations of his friends

and the demands of every American. The address then delivered needs no comment. No extract will do it justice. No extract is needed. All Americans, even the children of our schools, know it by heart. "The felicity and spirit," says his friend, Mr. Everett, "with which its descriptive portions are executed; the affecting tribute which it pays to the memory of the Pilgrims; the masterly exposition and analysis of those institutions to which the prosperity of New England, under Providence, is owing; the eloquent inculcation of those great principles of republicanism on which our American commonwealths are founded; the instructive survey of the past, the sublime anticipations of the future of America, have long since given this discourse a classical celebrity. Several of its soul-stirring passages have become as household words throughout the country. They are among the most favorite extracts contained in the school-books. An entire generation of young men have derived from this noble performance some of their first lessons in the true principles of American republicanism. It obtained at once a wide circulation throughout the country, and gave to Mr. Webster a posititon among the popular writers and speakers of the United States scarcely below that which he had already attained as a lawyer and statesman. It is doubted whether any extra professional literary effort, by a public man, has attained equal celebrity." The reader should remember, as he reads this judgment, that it is Edward Everett, himself equal to any living American in the same department, who awards it.

The next legal case, that claimed the attention of Mr. Webster, was that of James Prescott, judge of probate of the county of Middlesex, who was tried on an impeachment before the senate of Massachusetts. The defense set up, and the speech delivered by Mr. Webster, can be referred to as being precisely what the case demanded. This was a peculiarity of the great advocate. He always met the occasion. He met it fully

but exactly. He never tried to outdo the demand of his case for the sake of his reputation. There was no excess of learning, no striking of heavy blows merely to show that he could strike them, no indulgence of the low vanity of the mere barrister, but everything that could, in any way, help his client. His expertness as a manager of a trial, and his sagacity as a speaker, in getting hold of any accidental fact, or circumstance, that could aid him in his work, were exhibited to good advantage in this defense. The concluding paragraphs of his peroration may be quoted as a fair specimen of his power of appeal to the highest sentiments and noblest feelings of a tribunal:

"Mr. President, the case is closed. The fate of the respondent is in your hands. It is for you now to say, whether, from the law and the facts as they have appeared before you, you will proceed to disgrace and disfranchise him. If your duty calls on you to convict him, let justice be done, and convict him; but, I adjure you, let it be a clear, undoubted case. Let it be so for his sake, for you are robbing him of that for which, with all your high powers, you can yield him no compensation; let it be so for your own sakes, for the responsibility of this day's judgment is one which you must carry with you through life. For myself, I am willing here to relinquish the character of an advocate, and to express opinions by which I am prepared to be bound as a citizen and a man. And I say upon my honor and conscience, that I see not how, with the law and constitution for your guides, you can pronounce the respondent guilty. I declare that I have seen no case of wilful and corrupt official misconduct, set forth according to the requisitions of the constitution, and proved according to the common rules of evidence. I see many things imprudent and ill-judged; many things that I could wish had been otherwise; but corruption and crime I do not see.

"Sir, the prejudices of the day will soon be forgotten; the passions, if any there be, which have excited or favored this

prosecution will subside; but the consequence of the judgment you are about to render will outlive both them and you. The respondent is now brought, a single, unprotected individual, to this formidable bar of judgment, to stand against the power and authority of the state. I know you can crush him, as he stands before you, and clothed as you are with the sovereignity of the state. You have the power 'to change his countenance and to send him away.' Nor do I remind you, that your judgment is to be rejudged by the community; and, as you have summoned him for trial to this high tribunal, that you are soon to descend yourselves from these seats of justice, and stand before the higher tribunal of the world. I would not fail so much in respect to this honorable court as to hint that it could pronounce a sentence which the community will reverse. No, sir, it is not the world's revision which I would call on you to regard; but that of your own consciences, when years have gone by and you shall look back on the sentence you are about to render. If you send away the respondent, condemned and sentenced, from your bar, you are yet to meet him in the world on which you cast him out. You will be called to behold him a disgrace to his family, a sorrow and a shame to his children, a living fountain of grief and agony to himself.

"If you shall then be able to behold him only as an unjust judge, whom vengeance has overtaken and justice has blasted, you will be able to look upon him, not without pity, but yet without remorse. But if, on the other hand, you shall see, whenever and wherever you meet him, a victim of prejudice or of passion, a sacrifice to a transient excitement; if you shall see in him a man for whose condemnation any provision of the constitution has been violated or any principle of law been broken down, then will he be able, humble and low as may be his condition, then will he be able to turn the current of compassion backward, and to look with pity on those who have been his judges. If you are about to visit this respondent with a

judgment which shall blast his house; if the bosoms of the innocent and the amiable are to be made to bleed under your infliction, I beseech you to be able to state clear and strong grounds for your proceeding. Prejudice and excitement are transitory, and will pass away. Political expediency, in matters of judicature, is a false and hollow principle, and will never satisfy the conscience of him who is fearful that he may have given a hasty judgment. I earnestly entreat you, for your own sakes, to possess yourselves of solid reasons, founded in truth and justice, for the judgment you pronounce, which you can carry with you till you go down into your graves; reasons which it will require no argument to revive, no sophistry, no excitement, no regard to popular favor, to render satisfactory to your consciences; reasons which you can appeal to in every crisis of your lives, and which shall be able to assure you, in your own great extremity, that you have not judged a fellow-creature without mercy.

"Sir, I have done with the case of this individual, and now leave it in your hands. But I would yet once more appeal to you as public men; as statesmen; as men of enlightened minds, capable of a large view of things, and of foreseeing the remote consequences of important transactions; and, as such, I would most earnestly implore you to consider fully of the judgment you may pronounce. You are about to give a construction to constitutional provisions which may adhere to that instrument for ages, either for good or evil. I may perhaps overrate the importance of this occasion to the public welfare; but I confess it does appear to me that, if this body give its sanction to some of the principles which have been advanced on this occasion, then there is a power in the state above the constitution and the law; a power essentially arbitrary and despotic, the exercise of which may be most dangerous. If impeachment be not under the rule of the constitution and the laws, then may we tremble, not only for those who may be

impeached, but for all others. If the full benefit of every constitutional provision be not extended to the respondent, his case becomes the case of all the people of the commonwealth. The constitution is their constitution. They have made it for their own protection, and for his among the rest. They are not eager for his conviction. They desire not his ruin. If he be condemned, without having his offenses set forth in the manner which they, by their constitution have prescribed, and in the manner which they, by their laws, have ordained, then not only is he condemned unjustly, but the rights of the whole people are disregarded. For the sake of the people themselves, therefore, I would resist all attempts to convict by straining the laws, or getting over their prohibitions. I hold up before him the broad shield of the constitution; if through *that* he be pierced and fall, he will be but one sufferer in a common catastrophe."

On the night of the 6th of August, 1830,* Mr. Webster delivered his argument on the trial of John Francis Knapp, for the murder of Joseph White, Esq., of Salem, in the court-house of Essex county, Massachusetts. This argument is regarded as the great advocate's master-piece in this department of his profession. "The record of the *causes célèbres* of no country or age," says Mr. Everett, "will furnish either a more thrilling narrative, or a forensic effort of greater ability." The narrative is from the pen of the late Hon. Benjamin Merrill, of Salem, who was connected with the trial; and it is here given, with only a slight abridgment, as it is the only existing key to that wonderful speech, which has been looked upon, for a quarter of a century, not merely by a biographer, but by all the legal profession of the country, as Mr. Webster's greatest and grandest effort as a criminal lawyer:

* Mr. Everett, by mistake, says the 6th of *April*, 1830 making the trial come the day before the murder.

"Joseph White, Esq," says the narrator, "was found murdered in his bed, in his mansion-house, on the morning of the 7th of April, 1830. He was a wealthy merchant of Salem, eighty-two years of age, and had for many years given up active business. His servant-man rose that morning at six o'clock, and on going down into the kitchen, and opening the shutters of the window, saw that the back window of the east parlor was open, and that a plank was raised to the window from the back yard; he then went into the parlor, but saw no trace of any person having been there. He went to the apartment of the maid-servant, and told her, and then into Mr. White's chamber by its back door, and saw that the door of his chamber, leading into the front entry, was open. On approaching the bed he found the bed-clothes turned down, and Mr. White dead, his countenance pallid, and his night-clothes and bed drenched in blood. He hastened to the neighboring houses to make known the event. He and the maid-servant were the only persons who slept in the house that night, except Mr. White himself, whose niece, Mrs. Beckford, his housekeeper, was then absent on a visit to her daughter, at Wenham.

"The physicians and the coroner's jury, who were called to examine the body, found on it thirteen stabs, made as if by a sharp dirk or poniard, and the appearance of a heavy blow on the left temple, which had fractured the skull, but not broken the skin. The body was cold, and appeared to have been lifeless many hours.

"On examining the apartments of the house, it did not appear that any valuable articles had been taken, or the house ransacked for them; there was a *rouleau* of doubloons in an iron chest in his chamber, and costly plate in other apartments, none of which was missing.

"The perpetration of such an atrocious crime, in the most populous and central part of the town and in the most compactly built street, and under circumstances indicating

the utmost coolness, deliberation, and audacity, deeply agitated and aroused the whole community; ingenuity was baffled in attempting even to conjecture a *motive* for the deed; and all the citizens were led to fear that the same fate might await them in the defenseless and helpless hours of slumber. For several days, persons passing through the streets might hear the continual sound of the hammer, while carpenters and smiths were fixing bolts to doors and fastenings to windows. Many, for defense, furnished themselves with cutlasses, fire-arms, and watch-dogs. Large rewards for the detection of the author or authors of the murder were offered by the heirs of the deceased, by the selectmen of the town, and by the governor of the state. The citizens held a public meeting, and appointed a committee of vigilance, of twenty-seven members, to make all possible exertions to ferret out the offenders.

"While the public mind was thus excited and anxious, it was announced that a bold attempt at highway robbery was made in Wenham by three footpads, on Joseph J. Knapp, Jr., and John Francis Knapp, on the evening of the 27th of April, while they were returning in a chaise from Salem to their residence in Wenham. They appeared before the investigating committee, and testified that, after nine o'clock, near the Wenham Pond, they discovered three men approaching. One came near, seized the bridle, and stopped the horse, while the other two came, one on each side, and seized a trunk in the bottom of the chaise. Frank Knapp drew a sword from his cane and made a thrust at one, and Joseph with the but-end of his whip gave the other a heavy blow across the face. This bold resistance made them fall back. Joseph sprung from the chaise to assail the robbers. One of them then gave a shrill whistle, when they fled, and, leaping over the wall, were soon lost in the darkness. One had a weapon like an ivory dirk-handle, was clad in a sailor's short jacket, cap, and had whiskers; another wore a long coat, with bright buttons; all three were good-

sized men. Frank, too, sprung from the chaise, and pursued with vigor, but all in vain.

"The account of this unusual and bold attempt at robbery, thus given by the Knapps, was immediately published in the Salem newspapers, with the editorial remark, that 'these gentlemen are well known in this town, and their respectability and veracity are not questioned by any of our citizens.'

"Not the slightest clew to the murder could be found for several weeks, and the mystery seemed to be impenetrable. At length a rumor reached the ear of the committee that a prisoner in the jail at New Bedford, seventy miles from Salem, confined there on a charge of shop-lifting, had intimated that he could make important disclosures. A confidential messenger was immediately sent, to ascertain what he knew on the subject. The prisoner's name was Hatch; he had been committed before the murder. He stated that, some months before the murder, while he was at large, he had associated in Salem with Richard Crowninshield, Jr., of Danvers, and had often heard Crowninshield express his intention to destroy the life of Mr. White. Crowninshield was a young man, of bad reputation; though he had never been convicted of any offense, he was strongly suspected of several heinous robberies. He was of dark and reserved deportment, temperate and wicked, daring and wary, subtle and obdurate, of great adroitness, boldness, and self-command. He had for several years frequented the haunts of vice in Salem; and though he was often spoken of as a dangerous man, his person was known to few, for he never walked the streets by daylight. Among his few associates, he was a leader and a despot.

"The disclosures of Hatch received credit. When the supreme court met at Ipswich, the attorney-general, Morton, moved for a writ of *habeas corpus ad testif.*, and Hatch was carried in chains from New Bedford before the grand jury, and on his testimony an indictment was found against Crownin-

shield. Other witnesses testified that, on the night of the murder, his brother, George Crowninshield, Colonel Benjamin Selman, of Marblehead, and Daniel Chase, of Lynn, were together in Salem, at a gambling-house usually frequented by Richard; these were indicted as accomplices in the crime. They were all arrested on the 2d of May, arraigned on the indictment, and committed to prison to await the sitting of a court that should have jurisdiction of the offense.

"The committee of vigilance, however, continued to hold frequent meetings in order to discover further proof, for it was doubted by many whether the evidence already obtained would be sufficient to convict the accused.

"A fortnight afterwards, on the 15th of May, Captain Joseph J. Knapp, a shipmaster and merchant, a man of good character, received by mail the following letter:

"'CHARLES GRANT, JR., TO JOSEPH J. KNAPP.

"'*Belfast, May* 12, 1830.

"'DEAR SIR—I have taken the pen at this time to address an utter stranger, and, strange as it may seem to you, it is for the purpose of requesting the loan of three hundred and fifty dollars, for which I can give you no security but my word, and in this case consider this to be sufficient. My call for money at this time is pressing, or I would not trouble you; but with that sum, I have the prospect of turning it to so much advantage, as to be able to refund it with interest in the course of six months. At all events, I think it will be for your interest to comply with my request, and that immediately—that is, not to put off any longer than you receive this. Then set down and inclose me the money with as much dispatch as possible, for your own interest. This, sir, is my advice; and if you do not comply with it, the short period between now and November will convince you that you have denied a request, the granting of which will never injure you, the refusal of which will

ruin you. Are you surprised at this assertion — rest assured that I make it, reserving to myself the reasons and a series of facts, which are founded on such a bottom as will bid defiance to property or quality. It is useless for me to enter into a discussion of facts which must inevitably harrow up your soul. No, I will merely tell you that I am acquainted with your brother Franklin, and also the business that he was transacting for you on the 2d of April last; and that I think that you was very extravagant in giving one thousand dollars to the person that would execute the business for you. But you know best about that; you see that such things will leak out. To conclude, sir, I will inform you that there is a gentleman of my acquaintance in Salem, that will observe that you do not leave town before the first of June, giving you sufficient time between now and then to comply with my request; and if I do not receive a line from you, together with the above sum, before the 22d of this month, I shall wait upon you with an assistant. I have said enough to convince you of my knowledge, and merely inform you that you can, when you answer, be as brief as possible.

"'Direct yours to

"'CHARLES GRANT, JR., of Prospect, Maine.'

"This letter was an unintelligible enigma to Captain Knapp; he knew no man of the name of Charles Grant, Jr., and had no acquaintance at Belfast, a town in Maine, two hundred miles distant from Salem. After poring over it in vain, he handed it to his son, Nathaniel Phippen Knapp, a young lawyer; to him also the letter was an inexplicable riddle. The receiving of such a *threatening* letter, at a time when so many felt insecure, and were apprehensive of danger, demanded their attention. Captain Knapp and his son Phippen, therefore, concluded to ride to Wenham, seven miles distant, and show the letter to Captain Knapp's other two sons, Joseph J. Knapp, Jr.,

and John Francis Knapp, who were then residing at Wenham with Mrs. Beckford, the niece and late housekeeper of Mr. White, and the mother of the wife of J. J. Knapp, Jr. The latter perused the letter, told his father it 'contained a devilish lot of trash,' and requested him to hand it to the committee of vigilance. Captain Knapp, on his return to Salem that evening, accordingly delivered the letter to the chairman of the committee.

"The next day J. J. Knapp, Jr., went to Salem, and requested one of his friends to drop into the Salem post-office the two following pseudonymous letters.

"'*May* 13, 1830.

"'Gentlemen of the Committee of Vigilance,—Hearing that you have taken up four young men on suspicion of being concerned in the murder of Mr. White, I think it time to inform you that Stephen White came to me one night and told me, if I would *remove* the old gentleman, he would give me five thousand dollars; he said he was afraid he would alter his will if he lived any longer. I told him I would do it, but I was afeared to go into the house, so he said he would go with me, that he would try to get into the house in the evening and open the window, would then go home and go to bed and meet me again about eleven. I found him, and we both went into his chamber. I struck him on the head with a heavy piece of lead, and then stabbed him with a dirk; he made the finishing strokes with another. He promised to send me the money next evening, and has not sent it yet, which is the reason that I mention this. Yours, &c.,

'Grant.'

"This letter was directed on the outside to the 'Hon. Gideon Barstow,' Salem, and put into the post-office on Sunday evenning, May 16, 1830.

"'*Lynn, May* 12, 1830.

"'Mr. White will send the $5,000, or a part of it, before to-morrow night, or suffer the painful consequences.

"'N. Claxton, 4th.'

"This letter was addressed to the 'Hon. Stephen White, Salem, Mass.,' and was also put into the post-office in Salem on Sunday evening.

"When Knapp delivered these letters to his friend, he said his father had received an anonymous letter, and 'What I want you for is to put these letters in the post-office in order to nip this silly affair in the bud.'

"The Hon. Stephen White, mentioned in these letters, was a nephew of Joseph White, and the legatee of the principal part of this large property.

"When the committee of vigilance read and considered the letter purporting to be signed by Charles Grant, Jr., which had been delivered to them by Captain Knapp, they were impressed with the belief that it contained a clew which might lead to important disclosures. As they had spared no pains or expense in their investigations, they immediately despatched a discreet messenger to Prospect, in Maine; he explained his business confidentially to the post-master there, deposited a letter addressed to Charles Grant, Jr., and awaited the call for Grant to receive it. He soon called for it, when an officer, stationed in the house, stepped forward and arrested Grant. On examining him, it appeared that his true name was Palmer, a young man of genteel appearance, resident in the adjoining town of Belfast. He had been a convict in Maine, and had served a term in the state's prison in that state. Conscious that the circumstances justified the belief that he had had a hand in the murder, he readily made known, while he protested his own innocence, that he could unfold the whole mystery. He then disclosed that he had been an associate of R. Crowninshield, Jr.,

and George Crowninshield; had spent part of the winter at Danvers and Salem, under the name of Carr; part of the time he had been their inmate, concealed in their father's house at Danvers; that on the 2d of April he saw from the windows of the house Frank Knapp and a young man named Allen ride up to the house; that George walked away with Frank, and Richard with Allen; that on their return, George told Richard that Frank wished them to undertake to kill Mr. White, and that J. J. Knapp, Jr., would pay one thousand dollars for the job. They proposed various modes of executing it, and asked Palmer to be concerned, which he declined. George said the housekeeper would be away at the time; that the object of Joseph J. Knapp, Jr., was to destroy the will, because it gave most of the property to Stephen White; that Joseph J. Knapp, Jr., was first to destroy the will; that he could get from the housekeeper the keys of the iron chest in which it was kept; that Frank called again the same day, in a chaise, and rode away with Richard; and that on the night of the murder Palmer staid at the Half-way House, in Lynn.

"The messenger, on obtaining this disclosure from Palmer, without delay communicated it by mail to the committee, and on the 26th of May, a warrant was issued against Joseph J. Knapp, Jr., and John Francis Knapp, and they were taken into custody at Wenham, where they were residing in the family of Mrs. Beckford, mother of the wife of Joseph J. Knapp, Jr. They were then imprisoned to await the arrival of Palmer, for their examination.

"The two Knapps were young shipmasters, of a respectable family.

"Joseph J. Knapp, Jr., on the third day of his imprison ment, made a full confession that he projected the murder. He knew that Mr. White had made his will, had given to Mrs. Beckford a legacy of fifteen thousand dollars; but if he died without leaving a will, he expected she would inherit nearly

two hundred thousand dollars. In February he made known to his brother his desire to make way with Mr. White, intending first to abstract and destroy the will. Frank agreed to employ an assassin, and negotiated with R. Crowninshield, Jr., who agreed to do the deed for a reward of one thousand dollars; Joseph agreed to pay that sum, and as he had access to the house at his pleasure, he was to unbar and unfasten the back window, so that Crowninshield might gain easy entrance. Four days before the murder, while they were deliberating on the mode of compassing it, he went into Mr. White's chamber, and, finding the key in the iron chest, unlocked it, took the will, put it in his chaise-box, covered it with hay, carried it to Wenham, kept it till after the murder, and then burned it. After securing the will, he gave notice to Crowninshield that all was ready. In the evening of that day he had a meeting with Crowninshield at the centre of the common, who showed him a bludgeon and a dagger, with which the murder was to be committed. Knapp asked him if he meant to do it that night; Crowninshield said he thought not, he did not feel like it; Knapp then went to Wenham. Knapp ascertained on Sunday, the 4th of April, that Mr. White had gone to take tea with a relative in Chestnut-street. Crowninshield intended to dirk him on his way home in the evening, but Mr. White returned before dark. It was next arranged for the night of the 6th, and Knapp was on some pretext to prevail on Mrs. Beckford to visit her daughters at Wenham, and to spend the night there. He said that, all preparations being thus complete, Crowninshield and Frank met about ten o'clock in the evening of the 6th, in Brown-street, which passes the rear of the garden of Mr. White, and stood some time in a spot from which they could observe the movements in the house, and perceive when Mr. White and his two servants retired to bed. Crowninshield requested Frank to go home; he did so, but soon returned to the same spot. Crowninshield, in the mean time, had started

and passed round through Newbury-street and Essex-street to the front of the house, entered the postern gate, passed to the rear of the house, placed a plank against the house, climbed to the window, opened it, entered the house alone, passed up the staircase, opened the door of the sleeping-chamber, approached the bedside, gave Mr. White a heavy and mortal blow on the head with a bludgeon, and then with a dirk gave him many stabs in his body. Crowninshield said, that after he had 'done for the old man,' he put his fingers on his pulse to make certain he was dead. He then retired from the house, hurried back through Brown-street, where he met Frank, waiting to learn the event. Crowninshield ran down Howard-street, a solitary place, and hid the club under the steps of a meeting-house. He then went home to Danvers.

"Joseph confessed further that the account of the Wenham robbery, on the 27th of April, was a sheer fabrication. After the murder, Crowninshield went to Wenham in company with Frank to call for the one thousand dollars. He was not able to pay the whole, but gave him one hundred five-franc pieces. Crowninshield related to him the particulars of the murder, told him where the club was hid, and said he was sorry Joseph had not got the right will, for if he had known there was another, he would have got it. Joseph sent Frank afterwards to find and destroy the club, but he said he could not find it. When Joseph made the confession, he told the place where the club was concealed, and it was there found; it was heavy, made of hickory, twenty-two and a half inches long, of a smooth surface and large oval head, loaded with lead, and of a form adapted to give a mortal blow on the skull without breaking the skin; the handle was suited for a firm grasp. Crowninshield said he turned it in a lathe. Joseph admitted he wrote the two anonymous letters.

"Crowninshield had hitherto maintained a stoical composure of feeling; but when he was informed of Knapp's arrest, his

knees smote beneath him, the sweat started out on his stern and pallid face, and he subsided upon his bunk.

"Palmer was brought to Salem in irons on the 3d of June, and committed to prison. Crowninshield saw him taken from the carriage. He was put in the cell directly under that in which Crowninshield was kept. Several members of the committee entered Palmer's cell to talk with him; while they were talking, they heard a loud whistle, and, on looking up, saw that Crowninshield had picked away the mortar from the crevice between the blocks of the granite floor of his cell. After the loud whistle, he cried out, 'Palmer! Palmer!' and soon let down a string, to which were tied a pencil and a slip of paper. Two lines of poetry were written on the paper, in order that, if Palmer was really there, he would make it known by capping the verses. Palmer shrunk away into a corner, and was soon transferred to another cell. He seemed to stand in awe of Crowninshield.

"On the 12th of June, a quantity of stolen goods was found concealed in the barn of Crowninshield, in consequence of information from Palmer.

"Crowninshield, thus finding the proofs of his guilt and depravity thicken, on the 15th of June committed suicide by hanging himself to the bars of his cell with a handkerchief. He left letters to his father and brother, expressing in general terms the viciousness of his life, and the hopelessness of escape from punishment. When his associates in guilt heard his fate, they said it was not unexpected by them, for they had often heard him say he would never live to submit to an ignominious punishment.

"A special term of the supreme court was held at Salem on the 20th of July, for the trial of the prisoners charged with the murder; it continued in session till the 20th of August, with a few days' intermission. An indictment for the murder was found against John Francis Knapp, as principal, and Joseph J.

Knapp, Jr., and George Crowninshield, as accessories. Selman and Chase were discharged by the attorney-general.

"The principal, John Francis Knapp, was first put on trial. As the law then stood, an accessory in a murder could not be tried until a principal had been convicted. He was defended by Messrs. Franklin Dexter and William H. Gardiner, advocates of high reputation for ability and eloquence; the trial was long and arduous, and the witnesses numerous. His brother Joseph, who had made a full confession, on the government's promise of impunity if he would in good faith testify the truth, was brought into court, called to the stand as a witness, but declined to testify. To convict the prisoner, it was necessary for the government to prove that he was *present*, actually or constructively, as an aider or abettor in the murder. The evidence was strong that there was a conspiracy to commit the murder, that the prisoner was one of the conspirators, that at the time of the murder he was in Brown-street at the rear of Mr. White's garden, and the jury were satisfied that he was in that place to aid and abet in the murder, ready to afford assistance, if necessary. He was convicted.

"Joseph J. Knapp, Jr., was afterwards tried as an accessory before the fact, and convicted.

"George Crowninshield proved an *alibi*, and was discharged.

"The execution of John Francis Knapp and Joseph J. Knapp, Jr., closed the tragedy.

"If Joseph, after turning state's evidence, had not changed his mind, neither he nor his brother, nor any of the conspirators, could have been convicted; if he had testified, and disclosed the whole truth, it would have appeared that John Francis Knapp was in Brown-street, not to render assistance to the assassin; but that Crowninshield, when he started to commit the murder, requested Frank to go home and go to bed; that Frank did go home, retire to bed, soon after arose, secretly left his father's house, and hastened to Brown-street, to await the

coming out of the assassin, in order to learn whether the deed was accomplished, and all the particulars. If Frank had not been convicted as principal, none of the accessories could by law have been convicted. Joseph would not have been even tried, for the government stipulated that, if he would be a witness for the state, he should go clear.

"The whole history of this occurrence is of romantic interest. The murder itself, the *corpus delicti*, was strange; planned with deliberation and sagacity, and executed with firmness and vigor. While conjecture was baffled in ascertaining either the motive or the perpetrator, it was certain that the assassin had acted upon design, and not at random. He must have had knowledge of the house, for the window had been unfastened from within. He had entered stealthily, threaded his way in silence through the apartments, corridors, and staircases, and coolly given the mortal blow. To make assurance doubly sure, he inflicted many fatal stabs, 'the least a death to nature,' and staid not his hand till he had deliberately felt the pulse of his victim, to make certain that life was extinct.

"It was strange that Crowninshield, the real assassin, should have been indicted and arrested on the testimony of Hatch, who was himself in prison, in a distant part of the state, at the time of the murder, and had no actual knowledge on the subject.

"It was very strange that J. J. Knapp, Jr., should have been the instrument of bringing to light the mystery of the whole murderous conspiracy; for when he received from the hand of his father the threatening letter of Palmer, consciousness of guilt so confounded his faculties, that, instead of destroying it, he stupidly handed it back, and requested his father to deliver it to the committee of vigilance.

"It was strange that the murder should have been committed on a mistake in law. Joseph, some time previous to the murder, had made inquiry how Mr. White's estate would be

distributed in case he died without a will, and had been erroneously told that Mrs. Beckford, his mother-in-law, the sole issue and representative of a deceased sister of Mr. White, would inherit half of the estate, and that the four children and representatives of a deceased brother of Mr. White, of whom the Hon. Stephen White was one, would inherit the other half. Joseph had privately read the will, and knew that Mr. White had bequeathed to Mrs. Beckford much less than half.

"It was strange that the murder should have been committed on a mistake in fact also. Joseph furtively abstracted *a* will, and expected Mr. White would die intestate; but after the decease, *the* will, the *last* will, was found by his heirs in its proper place; and it could never have been known or conjectured, without the aid of Joseph's confession, that he had made either of those blunders.

"Finally, it was a strange fact that Knapp should, on the night following the murder, have watched with the mangled corpse, and at the funeral followed the hearse as one of the chief mourners, without betraying on either occasion the slightest emotion which could awaken a suspicion of his guilt."

It so happened that the Hon. Rufus Choate, the first of New England lawyers since the decease of Webster, listened to all the proceedings of this trial, and heard the speech of the great advocate; and his opinion of Mr. Webster's skill and tact, in the management of the trial, and of the overwhelming power and eloquence of his argument, he has given in a paragraph or sentence, which, after it has served its first and legitimate purpose, may be studied as a striking exemplification of the working of a vigorous and rapid mind struggling to give language to a conception almost too large and difficult for utterance. Speaking of the many great causes tried by Mr. Webster, in all of which a most remarkable combination of talents was conspicuous, the learned and able gentleman proceeds to draw a picture of the case under examination: "One

such," says he, "I stood in a relation to witness with a comparatively easy curiosity, and yet with intimate and professional knowledge of all the embarrassments of the case. It was the trial of John Francis Knapp, charged with being present, aiding and abetting in the murder of Joseph White, in which Mr. Webster conducted the prosecution for the commonwealth; in the same year with his reply to Mr. Hayne, in the senate; and a few months later; and when I bring to mind the incidents of that trial: the necessity of proving that the prisoner was near enough to the chamber in which the murder was being committed by another hand to aid in the act; and was there with the intention to do so, and thus in point of law did aid in it — because mere accessorial guilt was not enough to convict him; the difficulty of proving this—because the nearest point to which the evidence could trace him was still so distant as to warrant a pretty formidable doubt whether mere curisoity had not carried him thither; and whether he could in any useful or even conceivable manner have coöperated with the actual murderer, if he had intended to do so; and because the only mode of rendering it probable that he was there with a purpose of guilt was by showing that he was one of the parties to a conspiracy of murder, whose very existence, actors and objects had to be made out by the collation of the widest possible range of circumstances—some of them pretty loose—and even if he was a conspirator, it did not quite necessarily follow, that any active participation was assigned to him for his part, any more than to his brother, who, confessedly, took no such part—the great number of witnesses to be examined and cross-examined, a duty devolving wholly on him; the quick and sound judgment demanded and supplied to determine what to use and what to reject of a mass of rather unmanageable materials; the points in the law of evidence to be argued — in the course of which he made an appeal to the bench on the complete impunity which the rejection of the prisoner's confession

would give to the murder, in a style of dignity and energy, I should rather say, of grandeur, which I never heard him equal, before or after; the high ability and fidelity with which every part of the defense was conducted; and the great final summing up to which he brought, and in which he needed, the utmost exertion of every faculty he possessed to persuade the jury that the obligation of that *duty*, the sense of which, he said, 'pursued us ever: it is omnipresent like the Deity: if we take the wings of the morning and dwell in the uttermost parts of the sea, duty performed, or duty violated, is still with us for our happiness or misery' — to persuade them that this obligation demanded that on his proofs they should convict the prisoner: to which he brought first the profound belief of his guilt, without which he could not have prosecuted him; then skill consummate in inspiring them with a desire or a willingness to be instrumental in detecting that guilt; and to lean on him in the effort to detect it; then every resource of professional ability to break the force of the propositions of the defense, and to establish the truth of his own: inferring a conspiracy to which the prisoner was a party, from circumstances acutely ridiculed by the able counsel opposing him as 'Stuff' — but woven by him into strong and uniform tissue; and then bridging over from the conspiracy to the not very necessary inference that the particular conspirator on trial was at his post, in execution of it, to aid and abet — the picture of the murder with which he had begun—not for rhetorical display, but to inspire solemnity, and horror, and a desire to detect and punish for justice and for security; the sublime exhortation to duty with which he closed—resting on the universality, and authoritativeness and eternity of its obligation—which left in every juror's mind the impression that it was the duty of convicting in this particular case, the sense of which would be with him in the hour of death, and in the judgment, and forever — with these recollections of that trial I cannot help thinking it a more diffi-

cult and higher effort of mind than that more famous 'Oration for the Crown.'"

Eminent as these cases were, and eminent as were the exhibitions of legal talent which they called forth, they are by no means the only cases, or the only exhibitions of the kind, to be referred to in proof of the unexampled forensic ability of Mr. Webster. They are only specimens. They are the specimens pertaining to this period of his history. His entire professional life, however, was full of such exhibitions. The amount of labor performed by him as a lawyer, in all the departments of the profession, from the ordinary to the highest and most august tribunal of the country, can scarcely be appreciated except by lawyers, or by a person whose life has been particularly conversant with the profession. "While Mr. Webster, as a politician and a statesman," says Mr. Everett, "has performed an amount of intellectual labor, sufficient to form the sole occupation of an active life, there is no doubt that his arguments to the court, and his addresses to the jury, in important suits at law, would, if they had been reported like his political speeches, have filled a much greater space;" and the able but brief biographer of his friend might as justly have added, that the labor bestowed in the examination and general treatment of his cases cost him more real toil, and required a more thorough employment of his transcendent talents, than the preparation of all his arguments, addresses and speeches, legal and political. The professional work actually performed by his mind, during the forty-five years of his public life, if given at the same length as his published efforts, could scarcely have been printed in less than several scores of volumes. And then, when it is considered how that work was performed, how every part of it was executed, what perfection and power were stamped upon all of it, the mind almost staggers at the contemplation. Or if the mind of any will go on with the contemplation of this almost inconceivable succession of intellectual labors of the high-

est order, and of the grandeur and glory of result to which it all tended, and unto which it finally attained, it can hardly do so in better terms, or under a better guide, than are furnished in the language of one whom it is scarcely possible not to quote upon this subject: "There presents itself," says Mr. Choate, "on the first, and to any observation of Mr. Webster's life and character, a two-fold eminence; eminence of the very highest rank in a two-fold field of intellectual and public display, the profession of the law, and the profession of statesmanship, of which it would not be easy to recall any parallel in the biography of illustrious men.

"Without seeking for parallels, and without asserting that they do not exist, consider that he was by universal designation the leader of the general American bar; and that he was also by an equally universal designation foremost of her statesmen living at his death; inferior to not one who has lived and acted since the opening of his own public life. Look at these aspects of his greatness separately—and from opposite sides of the surpassing elevation. Consider that his single career at the bar may seem to have been enough to employ the largest faculties without repose, for a life time; and that if then and thus the '*infinitus forensium rerum labor*,' should have conducted him to a mere professional reward—a bench of chancery or law—the crown of the first of advocates—*jurisperitorum eloquentissimus*—to the pure and mere honors of a great magistrate; that that would be as much as is allotted to the ablest in the distribution of fame. Even that half—if I may say so—of his illustrious reputation—how long the labor to win it—how worthy of all that labor! He was bred first in the severest school of the common law, in which its doctrines were expounded by Smith, and its administration shaped and directed by Mason,—and its foundation principles, its historical sources and illustrations, its connection with the parallel series of statutory enactments, its modes of reasoning, and the evi-

dence of its truths, he grasped easily and completely; and I have myself heard him say, that for many years, while still at that bar, he tried more causes and argued more questions of fact to the jury, than perhaps any other member of the profession anywhere. I have heard from others how even then he exemplified the same direct, clear, and forcible exhibition of proofs, and the reasonings appropriate to proofs—as well as the same marvelous power of discerning instantly what we call the decisive points of the cause in law and fact—by which he was later more widely celebrated. This was the first epoch in his professional training.

"With the commencement of his public life, or with his later removal to this state, began the second epoch of his professional training—conducting him through the gradation of the national tribunals to the study and practice of the more flexible, elegant and scientific jurisprudence of commerce and of chancery—and to the grander and less fettered investigations of international, prize, and constitutional law—and giving him to breathe the air of a more famous forum; in a more public presence; with more variety of competition, although he never met abler men, as I have many times heard him say, than some of those who initiated him in the rugged discipline of the courts of New Hampshire; and thus, at length, by these studies; these labors; this contention; continued without repose, he came, now many years ago, to stand, *omnium assensu*, at the summit of the American bar."

Such is not the judgment of one man only. It is the general judgment of the profession throughout the country. It is a judgment to which free expression has been given by such gentlemen as Justice Sprague, of Massachusetts, Lewis Cass, of Michigan, Senator Butler, of South Carolina, Justice Wayne, of Georgia, and by every other distinguished lawyer, probably, in every portion of the Union. Not one dissent has ever found its way to the public eye. It must, therefore, go down

to future ages, as the common opinion of the legal profession of this age, that, of all the distinguished civilians, jurists, advocates, lawyers, of the first half of the nineteenth century, there was not one found equal to Daniel Webster. "I shall submit it," says his friend and associate, Mr. Choate,—"I shall submit it to the judgment of the universal American bar, if a carefully prepared opinion of Mr. Webster, on any question of law whatever, in the whole range of our jurisprudence, would not be accepted everywhere as of the most commanding authority, and as the highest evidence of legal truth? I submit it to that same judgment, if, for many years before his death, they would not have rather chosen to intrust the maintenance and enforcement of any important proposition of law whatever, before any legal tribunal whatever, to his best exertion of his faculties, than to any other ability, which the whole wealth of the profession could supply?" What a question is this, to be submitted with such confidence to such a tribunal, by a man, who, with the most apparent modesty, might well cherish the ambition of one day arriving at something like the same distinction! This, certainly, is reaching the last beatitude of the Roman classic—*laudatus laudatis;* and it should be remembered, that no case is referred to, by any of the distinguished gentlemen whose opinion has been quoted, as a foundation for that opinion, which came under the professional management of Mr. Webster after the age of forty! If Alexander is to be forever celebrated as great, because, while yet a young man, he subdued the brute force of a barbarous age, how much greater should his fame be, who, almost as early in life, made a more perfect conquest of the free mind of the most enlightened age of which there is any account in history!

CHAPTER VIII.

REPRESENTATIVE AND SENATOR FROM MASSACHUSETTS.

In the month of December, 1823, at the age of forty-one, Mr. Webster again took his seat in the house of representatives at Washington, as a representative for Boston. He had been elected, during the autumn of the previous year, by a very large majority, in preference to the claims of many very eminent native citizens of the district, though he had been himself a citizen of the state for only about six years. His talents, his general fame, gave him this precedence over all competition.

The year of his second appearance in the halls of congress was the last year of the peaceful administration of Monroe. For seven years, there had been but few questions creating any differences of opinion among the leading statesmen of the country. The second war with England had embarrassed the currency, involved the country in a heavy public debt, and so wounded the commerce and business of the nation, that it had seemed to be the duty, and it certainly had been the chief employment, of the first public men to soothe, and heal, and harmonize the general feeling, and retrieve the results of former errors. While engaged in these tranquil labors, the attention of the country had been called to the heroic struggles of the modern Greeks, who, on a soil made classic by the genius of their ancestors, had been contending for their faith and their freedom against the tyranny and intolerance of the Turks. The whole civilized world had felt a strong sympathy in those

struggles. England had sent her agents to watch the progress of the brave effort. France, Germany and Poland had kindled to enthusiasm in the cause of the young republic; and, encouraged by these signs of sympathy, the "Messenian Senate of Calamata," the political organization which represented the revolution, had sent appeals to several of the governments of Europe, and another of a peculiarly touching character to this country. Such were the force and power of this appeal, that Mr. Monroe, in spite of his doctrine of non-interference, which he set up for his own country against all other countries, found it impossible to satisfy the expectations of the people, or the demands of his own conscience, without mentioning the cause of the Greeks in his last annual message. "A strong hope," says the peace-president, "has been long entertained, founded on the heroic struggle of the Greeks, that they would succeed in their contest, and resume their equal station among the nations of the earth. It is believed that the whole civilized world takes a deep interest in their welfare. Although no power has declared in their favor, yet none, according to our information, has taken part against them. Their cause and their name have protected them from dangers which might ere this have overwhelmed any other people. The ordinary calculations of interest, and of acquisition with a view to aggrandizement, which mingle so much in the transactions of nations, seem to have had no effect in regard to them. From the facts which have come to our knowledge, there is good ground to believe, that their enemy has forever lost all dominion over them, that Greece will become again an independent nation."

With a view to making a suitable response to this portion of the presidential message, as well as for the purpose of giving congress an opportunity of expressing an opinion concerning the Greek revolution, Mr. Webster read to the house, on the 8th of December, the following resolution: "Resolved, That provision ought to be made, by law, for defraying the expense

of an agent or commissioner to Greece, whenever the president shall deem it expedient to make such appointment." The resolution took the usual course of such resolutions; and, on the 19th of January, 1824, the house having resolved itself into a committee of the whole, the resolution was taken up, and Mr. Webster defended and enforced it by a speech, which, regarded at the time as the greatest of his public efforts, has since been looked to as proof of some inconsistency of action. The alleged inconsistency, chiefly urged during the visit of Louis Kossuth to this country, and urged by those who could scarcely have read the speech in question, refers to the non-interfering policy, which, since the days of Washington, has been the established policy of this country. It is said, that, in his Greek speech, Mr. Webster advocated the doctrine of interference; but that when the Hungarians applied to our government for aid, after they had been betrayed and beaten by a combination of the Austrians and Russians, he suddenly took up and defended the policy of Washington. A very brief quotation, from the opening of the address, will be enough to repel this insinuation. "I might well, Mr. Chairman," says the speaker, "avoid the responsibility of this measure, if it had, in my judgment, any tendency to change the policy of the country. With the general course of that policy I am quite satisfied. The nation is prosperous, peaceful and happy; and I should very reluctantly put its peace, prosperity and happiness at risk. It seems to me, however, that this resolution is *strictly conformable* to our general policy, and not only consistent with our interests, but even demanded by a large and liberal view of those interests. It is certainly true, that the just policy of this country is, in the first place, a peaceful policy. No nation ever had less to expect from forcible aggrandizement. The mighty agents which are working out our greatness are time, industry, and the arts. Our augmentation is by growth, not by acquisition, by internal development, not by external accession. No schemes can be

suggested to us so magnificent as the prospects which a sober contemplation of our own condition, unaided by projects, uninfluenced by ambition, fairly spreads before us. A country of such vast extent, with such varieties of soil and climate, with so much public spirit and private enterprise, with a population increasing so much beyond former example, with capacities of improvement not only unapplied or unexhausted, but even, in a great measure, as yet unexplored—so free in its institutions, so mild in its laws, so secure in the title it confers on every man to his own acquisitions—needs nothing but time and peace to carry it forward to almost any point of advancement." These, as every careful reader of the works of Mr. Webster well knows, have always been his sentiments; and, instead of seeking out a false appearance of vacillation, every such reader will rather wonder how a man yet young, almost at the beginning of his high career as a statesman, could so unerringly lay down a line of action, which should serve him, almost without exception, and with no exception of great moment, to the very last day of his long and illustrious life!

There is in this very speech, overlooked by friends and opponents alike, a beautiful specimen of his consistency of character, and of the precocious wisdom of his early years. It will be remembered, that, in his speech before the "United Fraternity," his college society at Dartmouth, he had spoken on the "Influence of Opinion," in which he maintained, that the world was no longer to be governed by arms, but by the common sentiments of the great nations. Now, in his speech on the Greek revolution, he reproduces the same thought, ripened by the repose of more than twenty years, in language which even he has seldom equaled, and not more than once or twice surpassed. Repelling the sneer, thrown out by certain members of the house, that, unless Mr. Webster would have the country take up arms for the Greeks, they knew not what he would have them do, he breaks forth: "Sir, this reasoning mistakes

the age. The time has been, indeed, when fleets, and armies, and subsidies, were the principal reliances even in the best cause. But, happily for mankind, a great change has taken place in this respect. Moral causes come into consideration, in proportion as knowledge is advanced; and the *public opinion* of the civilized world is rapidly gaining an ascendency over mere brutal force. It is already able to oppose the most formidable obstruction to the progress of injustice and oppression; and as it grows more intelligent, and more intense, it will be more and more formidable. It may be silenced by military power, but it cannot be conquered. It is elastic, irrepressible, and invulnerable to the weapons of ordinary warfare. It is that impassible, unextinguishable enemy of mere violence and arbitrary rule, which, like Milton's angels,

> 'Vital in every part,
> Cannot, but by annihilating, die.'

Until this be propitiated or satisfied, it is vain for power to talk of triumphs or repose. No matter what fields are desolated, what fortresses surrendered, what armies subdued, or what provinces overrun. In the history of the year that has passed by us, and in the instance of unhappy Spain, we have seen the vanity of all triumphs in a cause which violates the general sense of justice of the civilized world. It is nothing that the troops of France have passed from the Pyrenees to Cadiz; it is nothing that an unhappy and prostrate nation has fallen before them; it is nothing that arrests, and confiscation, and execution, sweep away the little remnant of national resistance. There is an enemy that still exists to check the glory of these triumphs. It follows the conqueror back to the very scene of his ovations; it calls upon him to take notice that Europe, though silent, is indignant; it shows him that the scepter of his victory is a barren scepter; that it shall confer neither joy nor honor, but shall moulder to dry ashes in his grasp. In the

midst of his exultation, it pierces his ear with the cry of injured justice; it denounces against him the indignation of an enlightened and civilized age; it turns to bitterness the cup of his rejoicing, and wounds him with the sting which belongs to the consciousness of having outraged the *opinion of mankind!*"

The question which next engaged the attention of Mr. Webster was the tariff bill, introduced by Mr. Clay, who, though again speaker of the house, had advocated the passage of his bill with his accustomed fervor and eloquence. It was a rather mixed bill, partly for protection, partly for revenue; and, while it protected some things that needed no protection, and could receive none, it left unprotected other interests, which, without some protection, as the policy of the country now stood, would entirely and necessarily languish. The position of Mr. Webster was peculiar, and even painful. Since the country had adopted the policy of protection, and millions of capital had been invested by the people in view of this policy, he sincerely desired to sustain some bill which should justly carry out this system. But the bill before him he could not support. It was a bill, in his opinion, which treated some portions of the country, and some great interests, which he himself was sent there to represent, particularly the navigation interest, quite unfairly; and, therefore, after Mr. Clay had made his great speech in behalf of what he pleased to term the American system, a speech requiring two days for its delivery, Mr. Webster followed, on the first and second days of April, in a reply to Mr. Clay, which may be regarded as his first elaborate effort on the subject. That he was not now opposed to the principle of protection, seeing the country had once adopted it, but only opposed to several important particulars of the bill, is evident from the opening paragraphs of his address: "I will avail myself," he says, "of the present occasion, to make some remarks on certain principles and opinions which have been recently ad-

vanced, and on those considerations which, in my judgment, ought to govern us in deciding upon the several and respective parts of this very important and complex measure. I can truly say that this is a painful duty. I deeply regret the necessity which is likely to be imposed upon me of giving a general affirmative or negative vote on the whole of the bill. I cannot but think this mode of proceeding liable to great objections. It exposes both those who support, and those who oppose the measure, to very unjust and injurious misapprehensions. There may be good reasons for favoring some of the provisions of the bill, and equally strong reasons for opposing others; and these provisions do not stand to each other in the relation of principal and incident. If that were the case, those who are in favor of the principal might forego their opinions upon incidental and subordinate provisions. But the bill proposes enactments entirely distinct and different from one another, in character and tendency. Some of its clauses are intended merely for revenue; and of those which regard the protection of home manufactures, one part stands upon very different grounds from those of other parts. So that probably every gentleman who may ultimately support the bill, will vote for much which his judgment does not approve; and those who oppose it, will oppose something which they would very gladly support."

This, it will be perceived, was the first occasion on which the two great champions of the house, and afterwards of the senate, and always of the two wings of their common party, directly met; and, by a comparison of the two speeches then made by them, which were about equally elaborated, and of about an equal length, it would not be difficult to find fully exhibited, in deep contrast, their distinctive traits. Clay, who was by no means without his facts, his logic, his deductions, his array of argument, such as it always was, was nevertheless more peculiar, more striking, more effective, for his warm and even glowing manner of elocution, his exuberant fancy, his large sweep

of voice, his forcible gesticulation, his bold spirit, and that remarkable and winning confidence, which seemed to take the most absolute success as a thing already granted, even before he had done enough to justify such hope. Webster, on the other hand, rose before his hearers, as if he expected nothing, only that they should listen to him patiently and honestly till he had concluded, relying solely upon the strength of his position, and the force of his arguments, first for the conviction of their understandings, then for the assent of their wills, and last, for appropriate and timely action. It was said of the two great rivals of debate in the Athenian general assembly, that Demosthenes was the greater orator, but that Phocion was the more persuasive speaker; and Demosthenes himself once said, when he saw his opponent entering the assembly, "there comes the pruner of my figures." There was something of the same relation between the two great rivals in the American assembly. Clay, however, though quite as vehement, perhaps, as Demosthenes, had nothing of his perfection and elaborate severity of diction. Webster, on the other hand, had the perfection and the severity of style of Demosthenes, but not his warmth of manner. In one respect, the analogy will hold good. Clay was always making speeches, always speaking for immediate effect, always dealing in his flowers and weaving his garlands, or his chaplets; and Webster, pleased with the fancy, and beautiful imagery, and rapt and racy style of his great opponent, and as ready to do him justice, in these respects, as any one in Congress, was always apt, notwithstanding, if the occasion demanded, to get up, and, taking all the rhetoric to pieces, pick out the flowers, strip all down to the naked proposition, and then annihilate the proposition itself by a few strokes of his resistless logic.

It was so in the debate now under examination. A single specimen may serve as a general example of the whole performance. Mr. Clay had characterized the complicated provis-

ions of his bill as the "American system," while he had very freely stigmatized the opposition as advocating what he pleased to call their "foreign policy." Mr. Webster could not let this giving of bad names pass. "Allow me, sir," says he, near the opening of his speech, "in the first place, to state my regret, if indeed I ought not to state a warmer sentiment, at the names or designations which Mr. Speaker has seen fit to adopt for the purpose of describing the advocates and the opposers of the present bill. It is a question, he says, between the friends of an 'American policy,' and those of a 'foreign policy.' This, sir, is an assumption which I take the liberty most directly to deny. Mr. Speaker certainly intended nothing invidious or derogatory to any part of the house by this mode of denominating friends and enemies. But there is power in names; and this manner of distinguishing those who favor, and those who oppose particular measures, may lead to inferences to which no member of the house can submit. It may imply that there is more exclusive and peculiar regard to American interests in one class of opinions than in another. Such an implication is to be resisted and repelled. Every member has a right to the presumption, that he pursues what he believes to be the interest of his country, with as sincere a zeal as any other member. I claim this in my own case; and while I shall not, for any purpose of description or convenient argument, use terms which may imply any disrespect to other men's opinions, much less any imputation upon other men's motives, it is my duty to take care that the use of such terms by others be not, against the will of those who adopt them, made to produce a false impression. Indeed, sir, it is a little astonishing, if it seemed convenient to Mr. Speaker, for the purposes of distinction, to make use of the terms 'American policy' and 'foreign policy,' that he should not have applied them in a manner precisely the reverse of that in which he has in fact used them. If names are thought necessary, it would be well

enough, one would think, that the name should be in some measure descriptive of the thing; and since Mr. Speaker denominates the policy which he recommends 'a new policy' in this country;' since he speaks of the present measure as a new era in our legislation; since he professes to invite us to depart from our accustomed course, to instruct ourselves by the wisdom of others, and to adopt the policy of the most distinguished foreign states,—one is a little curious to know with what propriety of speech this imitation of other nations is denominated an 'American policy,' while, on the contrary, a preference for our own established system, as it now actually exists, and always has existed, is called a 'foreign policy.' This favorite American policy is what America has never tried; and this odious foreign policy is what, as we are told, foreign states have never pursued. Sir, that is the truest American policy which shall most usefully employ American capital and American labor, and best sustain the whole population. With me, it is a fundamental axiom—it is interwoven with all my opinions, that the great interests of the country are united and inseparable; that agriculture, commerce, and manufactures will prosper together, or languish together; and that all legislation is dangerous which proposes to benefit one of these without looking to consequences which may fall on the others."

It was during this congress that Mr. Webster delivered his noted argument in the case of Gibbons and Ogden. The state of New York, in gratitude or a sense of obligation to Robert Fulton for his invention of the steamboat, had passed several laws giving to him and to Robert R. Livingston exclusive privileges in the use of the invention upon the navigable waters of that state. The first act of the kind had been passed on the 19th of March, 1787, in favor of John Fitch, which gave him the right, not only of making but of using, every kind of boat or vessel worked by steam, in all creeks, rivers, bays and waters of the state for fourteen years. Fitch died without having

used his privilege; and, consequently, on the application of Mr. Livingston, who professed to have in his possession a mode of applying the steam engine to the propelling of a boat, on a better principle than was known to Fitch, the state of New York repealed the first grant, and conferred similar privileges on the new applicant. A third act was passed, on the 5th of April, 1803, associating Fulton with Livingston, and extending the grant to twenty years from its date. On the 11th of April, 1808, a fourth act was passed, extending the monopoly five years for every additional boat, the whole period, however, not to exceed thirty years; and this enactment gave to Fulton and Livingston the additional right of selling patents, or grants, to other persons, who, without such patents, were forbidden the use of steam for the purposes of navigation within the state. So great, however, was the temptation to infringe upon this monopoly, that the legislature found it necessary to pass a fifth and final act, which is dated the 9th of April, 1811, and which forfeits any boat or vessel found navigating the waters of New York without this license, without the necessity of a trial or the judgment of any court. This exclusive privilege had descended to Aaron Ogden, who claimed all the benefits of all these acts against all persons whatsoever; and he had, therefore, brought suit, in the courts of New York, against Thomas Gibbons, who was charged with running a boat propelled by steam between New York city and the New Jersey shore. These courts, without exception, from the lowest to the highest having jurisdiction of the case, had decided for the plaintiff; and the cause had been carried by appeal from the court of errors of the state of New York to the supreme court of the United States. Here Mr. Webster was given the management of the case; and it was here that he made that masterly argument, which not only reversed the decisions of all the New York courts, and pronounced all the acts of New York unconstitutional, null and void, but added materially to

his professional reputation. It was regarded by some eminent lawyers as superior to his argument in the Dartmouth College case; and Judge Wayne, a quarter of a century after its delivery, on the occasion of Mr. Webster's visiting Georgia in the spring of 1847, fixed upon this argument as the great deed of Mr. Webster's life, deserving the gratitude and eulogy of the country. "From one of your constitutional suggestions," says the judge, in addressing the honored guest of the state, "every man in the land has been more or less benefitted. We allude to it with the greater pleasure, because it was in a controversy begun by a Georgian in behalf of the constitutional rights of the citizen. When the late Mr. Thomas Gibbons determined to put to hazard a large part of his fortune in testing the constitutionality of the laws of New York, limiting the navigation of the waters of that state to steamers belonging to a company, his own interest was not so much concerned as the right of every citizen to use a coasting license upon the waters of the United States, in whatever way their vessels might be propelled. It was a sound view of the law, but not broad enough for the occasion. It is not unlikely that the case would have been decided upon it, if you had not insisted, that it should be put upon the broader constitutional ground of commerce and navigation. The court felt the application and force of your reasoning; and it made a decision releasing every creek, and river, lake, bay, and harbor in our country from the interference of monopolies, which had already provoked unfriendly legislation between some of the states, and which would have been as little favorable to the interest of Fulton, as they were unworthy of his genius." Here it will seem, indeed, that an act of which many even of Mr. Webster's friends, it may be, have never heard, is taken by a learned jurist as a deed of inexpressible value; and the student of Mr. Webster's extant works, as well as the historian of his life, often passes over acts, compar-

atively obscure, which would have been brilliant, which would have constituted epochs, in the life of many of our first men.

During the second session of the eighteenth congress, Mr. Webster, as chairman of the judiciary committee, reported the act of the 3d of March, 1825, which entirely revolutionized the criminal jurisprudence of the United States. The old act of the 30th of April, 1790, though as wise as could have been expected from an *a priori* view of the then future wants of the Union, had been found by experience to be insufficient. Cases had been constantly coming up for which there had been made no provision; and other cases, quite as numerous, had raised without determining the question of jurisdiction between the state courts and the courts provided by the national constitution. The whole subject demanded a revision; and that work happily fell, in great part, into the hands of Mr. Webster. His bill "more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," has now been before the country for nearly thirty years, without complaint, without revision, a monument to Mr. Webster's legislative and legal wisdom.

With this act, Mr. Webster would have closed, with the close of his first term from Boston, his connection with congress, had it not been for the great urgency and unparalleled unanimity of his constituents. Though he had expressed his desire of being released from office, and had taken pains to inform his most intimate friends at home of this wish, he was prevailed upon to stand an election for the lower house of the nineteenth congress; and the result proved, not only the wisdom of his constituents, but his own unbounded popularity. Out of five thousand votes cast, he received four thousand nine hundred and ninety; and the ten votes serve only to show that this remarkable unanimity was not because there was no candidate against him.

It was during the interim of his first and second appearance

as a representative from Boston, that Mr. Webster pronounced his first oration at Bunker Hill, on the occasion of laying the corner stone of the monument to be there erected. Such a monument had long been contemplated; not only the legislature of Massachusetts, but congress itself, had resolved, at different times, to commemorate the fall of Warren and the first great battle of the revolution, by some such testimonial; but it was not till about this period, the year 1825, that the work was undertaken, and the great debt paid. For the performance of the ceremony itself, of laying the first stone, there could scarcely have been a more propitious time. Congress, in the fulness of its gratitude, had invited General Lafayette to visit the country he had helped to save, and be the guest of the whole nation; the general was now here, passing from one section to another, and everywhere receiving the warmest benedictions of the people; and, in the work now in hand, it was most opportune that he, the representative of the revolutionary struggle, in which the great Warren fell, could be present on the occasion, and take in it a conspicuous part. Everything conspired to make the day memorable. It was the fiftieth anniversary of the battle; and nature herself seemed to conspire to shed on it her selectest charms. "The morning," says Mr. Frothingham, in his history of the siege of Boston, "proved propitious. The air was cool, the sky was clear, and timely showers the previous day had brightened the verdure into its loveliest hue. Delighted thousands flocked into Boston to bear a part in the proceedings, or to witness the spectacle. At about ten oclock, a procession moved from the State House toward Bunker Hill. The military, in their fine uniforms, formed the van. About two hundred veterans of the revolution, of whom forty were survivors of the battle, rode in barouches, next to the escort. These venerable men, the relics of a past generation, with emaciated frames, tottering limbs and trembling voices, constituted a touching spectacle. Some

wore, as honorable decorations, their old fighting equipments; and some bore the scars of still more honorable wounds. Glistening eyes constituted their answer to the enthusiastic cheers of the grateful multitudes who lined their pathway and cheered their progress. To this patriot band, succeeded the Bunker Hill Monument Association. Then the masonic fraternity, in their splendid regalia, thousands in number. Then Lafayette, continually welcomed by tokens of love and gratitude, and the invited guests. Then a long array of societies, with their various badges and banners. It was a splendid procession, and of such length that the front nearly reached Charlestown Bridge, ere the rear had left Boston Common. It proceeded to Breed's Hill, where the grand master of the Freemasons, the president of the Monument Association, and General Lafayette, performed the ceremony of laying the corner-stone, in the presence of a vast concourse of people." "The procession then moved," says Mr. Everett, "to a spacious amphitheater, on the northern declivity of the hill, where the address was delivered by Mr. Webster, in presence of as great a multitude as was ever, perhaps, assembled within the sound of a human voice." That address needs no eulogy; nor would any quotations do it justice; as it has long been read and eulogized, from beginning to end, as equal to any other similar production not from the hand of Mr. Webster.

On entering congress the third time, and the second time from Massachusetts, Mr. Webster found several important changes in the government, and in the state of parties. The "era of good feeling," as Mr. Monroe's administration was denominated, had passed by; and an era of very bitter feeling had been instaurated in the election of John Quincy Adams. In summing up the votes of the people, it had been discovered that Mr. Adams had received a popular majority; but the votes in the electoral college had stood ninety-nine for Andrew Jackson, eighty-four for John Q. Adams, forty-one for William

H. Crawford, and thirty-seven for Henry Clay. There being no majority for either of the candidates, the election had devolved on the house of representatives at its previous session; and the votes cast for Mr. Clay, by the agency of Mr. Webster having been obtained for Mr. Adams, Mr. Adams had been successful. But it was one of those victories which are more disastrous than a defeat. The friends of Jackson raised the cry throughout the country, that the expressed will of the people had been defeated; and as the votes originally thrown for Mr. Clay had been finally given to Mr. Adams, it was said that Mr. Clay had sold himself to Mr. Adams for the chance of being adopted by the new president as his successor. There probably was never invented a greater slander. The accusation stands only on suspicion; and the suspicion is based on no evidence. It is just as supposable that the friends of Mr. Clay voted for Mr. Adams at their own option, when freed from their original obligation by the impossibility of electing Mr. Clay, as that they were directed to vote as they did by Mr. Clay himself; and, even if so directed, it is quite as natural that Mr. Clay, on giving up his own chance, should make the preference of Mr. Adams, a political friend, against Mr. Jackson and Mr. Crawford, who were not his political friends, without as with a bargain. Any other course would have been a very great inconsistency. The slander, nevertheless, gained ground by the mere force of repetition; it was reiterated to the day of Mr. Clay's death; and he carried to his grave, no doubt, the heavy grief of having been stigmatized with a crime of which he was wholly innocent. He carried with him, too, a knowledge of the fact, that it was this malicious charge, which had not only given the victory to one of his competitors at the next succeeding election, but had blasted his own prospects for the same honor through a long life, devoted, with no less zeal, to the best good and highest glory of his country.

It would certainly not be in place to defend, at any length, the reputation of Mr. Clay in a memoir of Mr. Webster; but the case above stated calls up reflections which must have been experienced by nearly every intelligent American. There is too much personality allowed to enter into our party strifes. There was too much, on both sides, in the presidential elections succeeding the first election of Mr. Adams; and it grew out of what every careful and candid reader must know was a case of mere suspicion without proof. Mr. Adams gets the popular but not the constitutional vote. Mr. Clay had been, and then was, a political friend of Mr. Adams, and so the friends of Mr. Clay, seeing no chance of electing their own candidate, cast their votes for Mr. Adams. Upon this, without a show of farther testimony, forgetting charity and even common propriety, a whole party accuses Mr. Clay of an act, which no respectable man, of even ordinary standing, or ordinary intelligence, or decent self-respect, could perform. As an offset, in the next election, Mr. Jackson is charged with the foulest of crimes, with insubordination to his superiors, with peculation in office, and in fact with cold-blooded murder. As a rejoinder, an appeal is made against Mr. Clay for having sold himself, his constituents, his former principles, his country, when the country well knows, if it knows anything of the Kentucky character, or of the character of the most illustrious son of Kentucky, that he would have despised the very suggestion of such a bargain, and scorned the man, high or low, who should have proposed it to him. Still the charge proceeds. It has its effect upon the people. Adams gets his place temporarily; but Jackson, backed by an "outraged people," puts him out at the first opportunity. So the work goes on, making the life of a statesman the life of a politician, and the life of a politician so suspected, as to revive and almost justify the satire of the English eulogist of Indolence:

"The puzzling sons of party next appeared,
In dark cabals and nightly juntoes met;
And now they whispered close, now shrugging reared
The important shoulder; then, as if to get
New light, their twinkling eyes were in wonder set.
No sooner Lucifer recalls affairs,
Than forth they rush in mighty fret;
When, lo! pushed up to power, and crowned their cares,
In comes another set, and kicketh them down stairs."

This satire, however, upon the whole, is not sustained by the political history of this country in its higher departments. Generally, and more in later years than formerly, candidates for the first offices, though compelled to walk through a sufficiently fiery ordeal, are treated with decent consideration. From the bitter days now alluded to, there has been a change for the better constantly growing in the public mind; and to no one individual is the country more indebted, for this more wholesome state of things, than to Mr. Webster. His uniform courtesy as a debater, his respectful consideration of an opponent even when assailed, the cool and dispassionate manner in which he always treated the most reckless controversies, together with occasional reproofs of the opposite practice, have done as much, perhaps, as anything else to correct the heat of party strife, and show to every American, that nothing is lost by treating an opponent with respect, or even with consideration. In writing out a deliberate statement of his principles in 1840, he exposed the evil of this excessive partisan spirit; and, from the beginning to the end of his life, he acted in obedience to the import of his own language. "We believe, too," he says, "that party spirit, however natural or unavoidable it may be in free republics, yet, when it gains such an ascendency in men's minds as leads them to substitute party for country, to seek no ends but party ends, no approbation but party approbation, and to fear no reproach or contumely so that there be no party dissatisfaction, not only allays the true enjoyment

of such institutions, but weakens, every day, the foundations on which they stand"

On the 4th of January, 1826, Mr. Webster, again chairman of the judiciary committee, reported a bill proposing to reörganize the supreme court of the United States, which, in its existing condition, was not adequate to the duties laid upon it by the constitution. By the original act of September, 1789, the court had been made to consist of six judges; and it had been authorized to hold two sessions a year at Washington. The United States, by the same act, had been divided into districts, and the districts had been apportioned out into three circuits, the eastern, the middle, and the southern; and twice in each year there was to be a circuit court held in each district, to be composed of two of the judges of the supreme court, and the district judge for the district. The judges of the supreme court, therefore, had to hold two courts a year at the seat of government, and then travel, two by two, to all the districts of the Union twice a year. This burden no man could bear. The judges themselves, in November, 1792, had addressed the president on the subject. Their communication was laid before congress; and congress, to relieve the judges, passed an act making the circuit court to consist of *one* judge of the supreme court associated with the district judge. By a subsequent act, passed in February, 1801, the judges of the supreme court, to be reduced from six to five, had been relieved from all connection with the circuit courts; and their circuit duties had been conferred on circuit judges appointed for the purpose. This act, which lasted but a single year, was superseded by the acts of the 8th of March and the 29th of April, 1802, the first of which repealed all its predecessors, and the second, abolishing the itinerant character of the circuit courts, assigned particular judges of the supreme court to particular circuits. These acts had been regarded as great improvements in the judicial system, as they assigned to each judge no more labor than he could

reasonably be expected to perform, and gave to each court the privilege of going through with every case brought before it, however long it might continue on its docket, without a change of the individuals constituting the tribunal. In 1807, however, it became necessary, on account of the rapid extension of the population westward, to make a new circuit for the western states, to which a new judge was appointed. This was the condition of the supreme court of the United States, and these were the duties of its judges, both at Washington and in the circuit courts, when the new system was brought forward by Mr. Webster.

The proposition of Mr. Webster was, that the supreme court of the United States should consist of a chief justice and of nine associate justices; that, as soon as it should become necessary, three additional associate justices should be appointed; that so much of the previous acts as vested in the district courts, in certain of the western states, the powers and prerogatives of circuit courts, should be repealed; and that there should henceforth be regular circuit courts in such districts, consisting, as the others, of a judge of the supreme court of the United States and the district judge of the district in which the circuit court should be held.

In defense of this proposition Mr. Webster spoke twice, in both of which speeches he employed a style peculiarly adapted to the subject. Some of those who opposed his bill were passionate, vociferous, and declamatory. He, on the contrary, was more cool, more deliberate, than was his custom. The topic he regarded as too grave for displays of rhetoric or of elocution. "This, sir, must be allowed, and is on all hands allowed," said he in reply to certain intemperate debaters, "to be a measure of great and general interest. It respects that important branch of government, the judiciary; and something of a judicial tone of discussion is not unsuitable to the occasion. We cannot treat the subject too calmly, or too dispassionately.

For myself, I feel that I have no pride of opinion to gratify, no eagerness of debate to be indulged, no competition to be pursued. I hope I may say, without impropriety, that I am not insensible to the responsibility of my own situation as a member of the house, and a member of the committee. I am aware of no prejudice which should draw my mind from the single and solicitous contemplation of what may be best; and I have listened attentively, through the whole course of this debate, not with the feelings of one who is meditating the means of replying to objections, or escaping from their force, but with an unaffected anxiety to give every argument its just weight, and with a perfect readiness to abandon this measure, at any moment, in favor of any other, which should appear to have solid grounds of preference." Such candor, added to such ability, had its effect. The tone of debate was at once softened down; the most perfect courtesy thereafter characterized the debate; and, though all the amendments of the judicial system, proposed by Mr. Webster, were not adopted at that time, the main feature of it has been adopted, and is in practical operation at the present day.

The party opposed to the administration of Mr. Adams, composed of a very heterogeneous combination of materials, went into the nineteenth congress breathing vengeance upon the man who had bargained, as in common traffic, for his exalted place. The president, however, was not only a learned, a wise, but a very prudent man; and it was not easy to find, in anything he had said or done, or was likely to say or do, a point giving a reasonable opportunity of attack. After diligent search, and by no little conspiracy of the leaders of the opposition, they agreed to fasten upon a single passage of his message, in which he had spoken of having determined to send commissioners to the celebrated congress of Panama. What was the object of that congress? Was it not a meeting of delegates from Mexico and the Spanish South American states, who

proposed a general confederacy for their own protection against a combination of European sovereigns? What right, it was asked, had the president to send ministers to such a congress? What powers were they to have, and what duties were they to perform, as members of that body? Were they to go there to concoct a general alliance with the Spanish-American states of central and southern America, by which the United States should be bound to defend those states in their revolutionary measures, and to go to war with Spain and other foreign governments in a cause not at all our own? Were we now to forget the true policy of our country, as laid down by the fathers of the great republic, and get into "tangling alliances" with other nations, and thus draw ourselves into all the miseries of the new and the wiles of the old world? No, never, was the general and patriotic response, when every man, on whose lips this reply was found, knew perfectly well, that Mr. Adams had entertained no such designs. They knew very well, that, as the states mentioned had recently declared and maintained their independence, new relations had arisen between them and the United States, calling for a thorough discussion, and a good degree of care on our part, lest those states should themselves, unobserved or unresisted by us, form such an alliance among themselves as would be injurious to our commerce, and perhaps endanger our peace. They knew as well as did the president, that there were then rumors afloat in regard to the independence of Cuba; that Cuba had been invited to join the general alliance of the central and southern states of America; and that, if there were no other grounds, this fact was a sufficient reason for sending commissioners or agents to the congress of Panama, who should be empowered to discuss every question therein arising, to resist what would be hurtful to the interests of their country, and to acquiesce in whatever might promise, on the maturest deliberation, to do us good. Having been invited to send such commissioners,

by the Spanish-American states themselves, it was certainly a wise proposition, and perfectly constitutional, to have the country represented in that assembly; and the president, with the consent of the senate, had made appointments in accordance with this view of his right, responsibility and duty. In his annual message he had requested the house, not to give him advice respecting the propriety of his measure, or to share that responsibility with him, but simply to make the necessary appropriations to defray the expenses of the commission. This request brought the subject to the notice, and put the destiny of it at the mercy, of the house; and the opposition members, not scrupling to undertake the most novel and extraordinary course, proposed either to withhold the appropriation altogether, or so to limit by instructions the powers of the commission as to render it totally inefficient, and thus make it a laughing-stock to our own people and to other nations. While the question was in this condition, embarrassed on all sides, and particularly embarrassed by a discussion which had become exceedingly intemperate and abusive, Mr. Webster rose in the house, in his easy and conciliatory manner, and delivered what was universally acknowledged at the time, and what has ever since been acknowledged, as the most eloquent, powerful, and effective effort of the nineteenth congress: "The president and senate," said the orator, "have instituted a public mission, for the purpose of treating with foreign states. The constitution gives to the president the power of appointing, with the consent of the senate, ambassadors and other public ministers Such appointment is, therefore, a clear and unquestionable exercise of executive power. It is, indeed, less connected with the appropriate duties of the house, than almost any other executive act, because the office of a public minister is not created by any statute or law of our own government. It exists under the law of nations, and is recognized as existing by our constitution. The acts of congress, indeed, limit the salaries

of public ministers; but they do no more. Everything else in regard to the appointment of public ministers—their numbers, the time of their appointment, and the negotiations contemplated in such appointments — is matter for executive discretion. Every new appointment to supply vacancies in existing missions is under the same authority. There are, indeed, what we commonly term standing missions, so known in the practice of the government, but they are not permanent by any law. All missions rest on the same ground. Now the question is, whether, the president and senate having created this mission, or, in other words, having appointed the ministers, in the exercise of their undoubted constitutional power, this house will take upon itself the responsibility of defeating its objects, and rendering this exercise of executive power void." Mr. Webster then went into a particular examination of the arguments advanced by the opposition, in which he showed the utter futility of all their reasoning, followed them through all their windings, and drove them from their ground by arguments which they never knew how to answer. He clearly proved, that, as the president had the right of making the appointments, the house must either grant or refuse, without instructions, the needed appropriations; and that, though the subject was too delicate for open and unrestricted debate, there were doubtless such objects of an important character, and of great interest to the country, to be secured, or at least watched, in the contemplated congress, as to justify the appointments which had been made by the president and senate.

Besides this constitutional and general argument, Mr. Webster presented a most conclusive reason for the mission, drawn from the celebrated declaration of President Monroe. It had come to the knowledge of that gentleman, about the time when the independence of the South American and Mexican states had been acknowledged by this country, that there was a plan on foot in Europe for a sort of Holy Alliance in reference to

American affairs; and the first undertaking of this combination was to be the re-subjugation of the Spanish provinces of America, that no similar attempts might be made, without fear of the general wrath of the great kings of Europe, in any other quarter of the globe. The fact of this royal conspiracy had been presented by Mr. Monroe to his cabinet, which consisted of Adams, Crawford, Calhoun, Southard, and Wirt; and they, as it seems, had not only advised the declaration of Monroe, which forbids all foreign governments from interfering with the domestic arrangements of this continent, but had resolved to defend the continent against all such interference at every hazard. That president, therefore, by the consent and coöperation, not of Adams only, but of Crawford and Calhoun, now the opponents of Adams on this very ground, had resolved to take the continent under the special protection of this government; but Mr. Adams, when his turn came as president, not to defend other nations, but to look after the interests of our own, proposed simply to send commissioners to discuss questions of great interest to the United States, and to form treaties of trade and business with the new states, when, lo! his former associates, who had been deeper in the Monroe doctrine than he was now himself, followed by the whole opposition party, raised the clamor of "Quixotism," of "tangling alliances," of "going abroad for trouble," in a style more bitter and personal than had ever before been witnessed in this country!

The speech on the mission to Panama was made on the 14th of April, 1826; and in the November following, in the interim of the two sessions of the nineteenth congress, Mr. Webster was elected to the twentieth congress with scarcely a show of opposition. Having, at the close of the first session of the eighteenth or current congress, retired to the practice of his profession, which he still cherished above all the honors of public life, he was called to serve on an occasion, which, as it can scarcely be supposed ever to occur again, would be as

little likely ever to find a man so entirely equal to its demands. On the 4th of July, 1826, John Adams, the second president of the Union, the early friend of American independence, the glorious patriot beloved and admired by millions of his grateful countrymen, died in peace at Quincy. It was regarded as a most remarkable coincidence, that he, who might be considered, without disparagement to others, as the ablest supporter of the declaration of independence, should be permitted to hallow the day by his death. It was still more remarkable, that that very day was the fiftieth anniversary, the jubilee day, of the ever-memorable event. As he was gradually dying, but still conscious of everything about him, the departing patriot seemed to be perfectly aware of the day; and his thoughts turned at once to the illustrious deed, which, just half a century before, had given birth to a nation now rejoicing all around him with a general and almost tumultuous joy. He thought, too, of his noble compatriots of that early day, and mentioned sev eral of them with an affection that moved the spectators of his death to tears; but, giving to Washington and Franklin their highest praise, he seemed to dwell on the name of Jefferson with a peculiar interest. And there was certainly good reason why the departing sage should evince extraordinary emotion over the memory of that extraordinary man. Though opposite in respect of party, they had been associated, in a singular manner, in the greatest and most illustrious acts which they had individually performed. They were associated in the recollections of their countrymen, also, not only by these resemblances in their lives, but by the deep contrasts that separated them in other things. They had been the leading representatives of the two leading colonies in the congress of the revolution. They had been the champions of the two great parties into which the country was even from the first more or less divided. They had both been members of the committee to draft the declaration of independence. They had

been the two leading members of this committee, Mr. Jefferson having the preference over Mr. Adams by a single vote. They had constituted the famous sub-committee, to which the general committee, consisting of Jefferson, Adams, Franklin, Sherman, and Livingston, had confided the high duty of making the first draft of the declaration. They had both occupied the office of secretary of state, and both the higher office of president of the United States; and when Mr. Jefferson obtained the office, he had obtained it by a majority of only one vote over his competitor, Mr. Adams. Neither of them had been a member of the convention which formed the constitution, neither had ever been a member of congress after its adoption, though both had represented the country, as public ministers, at foreign courts. They had both been members of the same profession, though neither of them had ever depended upon their practice either for their livelihood, or for those distinctions which had crowned both alike. Through their whole lives, though opposite in very important particulars, they had been united in many others; and it had grown to be a habit of speech, throughout the country, and throughout the civilized world, as it is at this day, to associate and mention the two names together. *Par nobile fratrum!* The one, now dying in his home at Quincy, with his last breath spoke of his illustrious brother, who, he supposed, though aged and broken in health, was to survive him; but, what has ever seemed the strangest of all these wonderful coincidences, on that very day, the day of the declaration, the day of the nation's anniversary, the day of jubilee of that anniversary, the day which resigned John Adams to the hands of God and the immortality that awaited him, Thomas Jefferson breathed his last in his own peaceful retreat at Monticello! In spite of their opposite views in politics, in spite of their frequent opposition as candidates for office, they had always cherished for each other the warmest friendship and affection; and now, "lovely and pleasant in

their lives, in their death they were not divided;" and the whole nation, astonished at the apparently miraculous manner of their departure, and in tears over the loss suffered by their surviving countrymen, adopted, with one voice, the king of Israel's lamentation: "How are the mighty fallen, and the weapons of war perished!" There was weeping that day mingled with rejoicing. For days and weeks afterwards, the wonderful event was the only topic of conversation. Every one seemed to see the hand of God in every one of these singular coincidences. The pulpits made free use of the grand event in enforcing the doctrine of a special providence. Patriots spoke of it as a lesson to the country in respect to union. All classes had something to say of it, some lesson or moral to draw from it, peculiar to themselves respectively and appropriate to the condition of the nation. Public addresses, as well as sermons, were delivered in every section of the United States; and, among other places, as was most fit, a day was appointed to commemorate the event in the metropolis of Massachusetts. In the choice of a speaker, it is said, there was not a dissenting vote. All eyes turned to Mr. Webster. Mr. Webster was the only man, it was unanimously agreed, that could adequately speak for a whole commonwealth, and entirely meet the requisitions that the occasion would lay upon him. It was truly so; and the event justified the judgment. On the 2d day of August, 1826, which, as it also happened, turned out to be the anniversary of the day when the declaration of independence had been engrossed by the revolutionary congress, Mr. Webster delivered that address on the death of Adams and Jefferson, which, in its peculiar strain, as a funeral oration, was never surpassed by any orator of Grecian or Roman fame. It would be idle to quote from it, in proof of this opinion, as it has been committed to memory, almost entire, by two generations of American youth, and been read and admired by every civilized people of the globe.

During the session of the congressional year 1826–1827, there was no subject before the house, on which Mr. Webster felt himself called upon to make an elaborate speech, after he had given his opinion of the mission to Panama; and in the month of June of the year 1827, he was transferred to the senate of the United States by a very large majority of the votes of the legislature of Massachusetts. Taking his seat, therefore, as a senator of the twentieth congress, for the state of Massachusetts, with all his honors as an orator and statesman upon him, and with the respect and even deference of a whole senate around him, he could not fail to take a high rank in congress and before the country; and his talents, now universally conceded to be of the first order, and his fame, which covered the whole country, and passed over into foreign countries, marked and stamped every word uttered by him with importance. What he would first do, on entering the senate, became a query in the country; it was a query which was circulated not a little in the newspapers of that day; but Mr. Webster never seemed to read, certainly not to regard, what was said about him, or predicted of him, in the public prints. His own line of duty was always clear before him; and he always followed that line, turning neither to the right nor left to satisfy any one's taste or fulfill any one's predictions.

His first speech before the senate, of sufficient importance to receive the honors of a publication, was on the bill introduced for the relief of the surviving officers of the revolution. On this bill Mr. Webster made a short address, which, though to be numbered among his minor speeches, is yet a model of its kind, the occasion being taken into consideration. A passage may be quoted from it to show the singular felicity with which he could openly discuss, in a most delicate manner, such questions as could hardly be mentioned by a less skillful tongue without exciting the prejudices or wounding the feelings of sensitive individuals: "It must be admitted, sir," says the sena-

tor, "that the persons for whose benefit this bill is designed are, in some respects, peculiarly unfortunate. They are compelled to meet not only objections to the principle, but, whichever way they turn themselves, embarrassing objections also to details. One friend hesitates at this provision, and another at that; while those who are not friends at all of course oppose everything, and propose nothing. When it was contemplated, heretofore, to give the petitioners a sum outright in satisfaction of their claim, then the argument was, among other things, that the treasury could not bear so heavy a draft on its means at the present moment. The plan is accordingly changed; an annuity is proposed; and then the objection changes also. It is now said, that this is but granting pensions, and that the pension system had already been carried too far. I confess, sir, I felt wounded, deeply hurt, at the observations of the gentleman from Georgia. 'So, then,' said he, 'these modest and high-minded gentlemen take a pension at last!' How is it possible that a gentleman of his generosity of character, and general kindness of feeling, can indulge in such a tone of triumphant irony towards a few old, gray-headed, poor, and broken warriors of the revolution! There is, I know, something repulsive and opprobrious in the name of pension. But God forbid that I should taunt them with it! With grief, heart-felt grief, do I behold the necessity which leads these veterans to accept the bounty of their country, in a manner not the most agreeable to their feelings. Worn out and decrepit, represented before us by those, their former brothers in arms, who totter along our lobbies, or stand leaning on their crutches, I, for one, would most gladly support such a measure as should consult at once their services, their years, their necessities, and the delicacy of their sentiments. I would gladly give, with promptitude and grace, with gratitude and delicacy, that which merit has earned and necessity demands." Treating of the objections urged against the bill, the senator proceeds: "It

is objected that the militia have a claim upon us; that they fought at the side of the regular soldiers, and ought to share in the country's remembrance. But it is known to be impossible to carry the measure to such an extent as to embrace the militia; and it is plain, too, that the cases are different. The bill, as I have already said, confines itself to those who served not occasionally, not temporarily, but permanently; who allowed themselves to be counted on as men who were to see the contest through, last as long as it might; and who have made the phrase, 'listing during the war,' a proverbial expression, signifying unalterable devotion to our cause, through good fortune and ill fortune, till it reached its close. This is a plain distinction; and although, perhaps, I might wish to do more, I see good ground to stop here for the present, if we must stop anywhere. The militia who fought at Concord, at Lexington, and at Bunker Hill, have been alluded to, in the course of this debate, in terms of well-deserved praise. Be assured, sir, there could with difficulty be found a man, who drew his sword, or carried his musket, at Concord, at Lexington, or at Bunker Hill, who would wish you to reject this bill. They might ask you to do more, but never to refrain from doing this. Would to God they were assembled here, and had the fate of the bill in their own hands! Would to God the question of its passage were to be put to them! They would affirm it with a unity of acclamation that would rend the roof of the capitol!"

Such was Mr. Webster's happy tact of handling delicate subjects, of answering objections that required discriminate language, and of turning the *morale*, the popular sentiment, of an objection against those who raised it. In the same speech he shows his ardent love for New England, and gives another example of his felicity in turning the argument of an adversary to his own purposes and advantage, making it decorous for himself to pay a useful compliment where, otherwise, all compliment would have been uncalled for and suspected. "I would

not," he says, "and do not, underrate the services and the sufferings of others. I know well, that, in the revolutionary contest, all made sacrifices, and all endured sufferings, as well those who paid for service, as those who performed it. I know that, in the records of all the little municipalities of New England, abundant proof exists of the zeal with which the cause was espoused, and the sacrifices with which it was cheerfully maintained. I have often there read, with absolute astonishment, of the taxes, the contributions, the heavy subscriptions, sometimes provided for by disposing of the absolute necessaries of life, by which enlistments were procured, and food and clothing furnished. It would be, sir, to these same municipalities, to these same little patriotic councils of revolutionary times, that I would now look, with most assured confidence, for a hearty support of what this bill proposes. There, the scale of revolutionary merit stands high. There are still those living, who speak of the 19th of April, and the 17th of June, without thinking it necessary to add the year. These men, one and all, would rejoice to find that those who stood by the country bravely, through the doubtful and perilous struggle, which conducted to independence and glory, had not been forgotten in the decline and close of life!" The whole speech, indeed, though not on an emergency which called for the greatest effort, is a fine proof of Mr. Webster's calmness, candor, and unexampled tact and ingenuity in debate. He always seemed to know and feel exactly what the subject demanded of him; and he also knew how, in a most natural and dignified manner, after answering such arguments as needed only to be answered, to turn the others into an occasion to say just such things as he wanted to say, but could not have said with dignity, had not his unskillful opponents furnished him with the opportunity. His whole career, as a lawyer, as a representative, as a senator, is full of these examples; but the great ex-

ample of his life comes next up, in chronological order, for the consideration and admiration of the reader.

The interval between the two sessions of the twentieth congress is memorable for the election of Andrew Jackson over his competitor, John Quincy Adams. The party, made up of the discordant elements before mentioned, which had united to break down the administration of Mr. Adams, had succeeded in its purpose. The slander on Mr. Adams, in relation to his bargain with Mr. Clay, had been so industriously repeated, that the majority of the people of the country had come to put implicit confidence in its truth; and even at this day, there are thousands of well-meaning men in the United States, men of the greatest worth and integrity, who could scarcely be more insulted, or at least affronted, than by the suggestion of a doubt on this subject. To all practical intents, therefore, the slander was just as effectual as if it had been historically and undeniably a fact; and, as it spread among the people, Jackson's popularity rose, and that of the president went down. Jackson was made president by a majority unknown since the days of Monroe. Webster, who was the cause of the vote of Clay's friends being given to Mr. Adams, and Clay, who had probably only acquiesced in the course of Mr. Webster, had both labored to sustain the administration of their common friend; but no support, however able, or from men however distinguished, could sustain a man, who had been doomed before he had done either good or evil.

The party of the new administration, therefore, was merely an opposition; and an opposition is very likely to be made of dissimilar and discordant materials. This is more liable to be the case when the opposition is based on personal and malicious grounds. There is then not likely to be much principle at stake. It is mere hatred, resentment, or revenge. Whatever was the *animus* of the opposition party now in power, it is very certain that the party itself was not at all united. Jackson

and Crawford had not been friends. Crawford and Calhoun had not been friends; and Calhoun, though now vice-president under Jackson, had avowed opinions, and was then secretly fostering a spirit, which was not only leading directly to a severance of the Union, but which was exceedingly distasteful to the president.

It will be remembered that the tariff of 1816 was a measure of the southern and western states, which forced it upon New England in spite of a determined and protracted opposition, in which Mr. Webster had taken a prominent part. The tariff of 1824, also, had been opposed by the New England states, but was carried at last by southern and western votes. The tariff of 1828 had been accepted by Mr. Webster, but it had been so accepted, not because a high protection had been the original policy of New England, but because it had been made the policy of the government. The high tariff system, in fact, from first to last, had been a western and southern affair, and had been incorporated as an element of the general policy of the country by southern and western votes. In 1828, however, New England had acquiesced in this southern and western measure, while the south and west themselves had grown a little cool or indifferent towards it. They had initiated and carried it, and had thus caused an untold amount of investments to be made in various manufacturing establishments, chiefly located in New England; and now they began to turn round upon their own act, not only dishonoring and rejecting it, but accusing it of being unfriendly, even hostile, to the interests of the west and south. There was probably some disappointment, and some jealousy, mixed up with this change of opinion and practice. When originated, New England was engaged almost exclusively in navigation; and the tariff, it was supposed, by throwing restrictions on free trade, would benefit the agriculture of the west and south, though it might also diminish the business of the east. The result of the measure had not

entirely met the expectation of its originators. New England, having more ready capital than could be employed to the best advantage in a commerce thus restrained, had diverted the surplus of this capital to those manufactures, which had been particularly marked out for protection by these southern and western tariffs. Make the laws as they would, fix whatever boundaries to business that any sections of the Union might devise, New England had known how to thrive. She could not thrive, however, any more than any other section, if the laws were not kept more or less uniform and firm, if they were to be changed with every congress, or every new notion that might possibly get the ascendency for a day. Having, therefore, been forced into the business of manufactures, and having involved a large amount of property in it, New England was now willing to relinquish her opposition to the doctrine of protection, and to stand up in support of the darling measure of the south and west. She expected, no doubt, that the south and west would congratulate her upon her conversion, and pronounce themselves fortunate in having made so good a convert. Not so. The south and west had now changed sides. They opened up a determined opposition to their own measure. They used, in that opposition, the very arguments which they had tried to answer when given to them from the lips of Mr. Webster. This change of sentiment had commenced as early as 1828, when the tariff bill of that year, which was rather favorable to New England, was under discussion in the senate. It was a change so sudden and so marked that Mr. Webster had not seen fit to let it pass without observation: "New England, sir," said he, in his speech of the 9th of May, 1828, "has not been a leader in this policy. On the contrary, she held back herself and tried to hold others back from it, from the adoption of the constitution to 1824. Up to 1824, she was accused of sinister and selfish designs, because she discountenanced the progress of this policy. It was laid to her charge

then, that, having established her manufactures herself, she wished that others should not have the power of rivaling her, and for that reason opposed all legislative encouragement. Under this angry denunciation against her, the act of 1824 passed. Now, the imputation is precisely of an opposite character. The present measure is pronounced to be exclusively for the benefit of New England; to be brought forward by her agency, and designed to gratify the cupidity of the proprietors of her wealthy establishments. Both charges, sir, are equally without the slightest foundation. The opinion of New England up to 1824 was founded in the conviction that, on the whole, it was wisest and best, both for herself and others, that manufactures should make haste slowly. She felt a reluctance to trust great interests on the foundation of government patronage; for who could tell how long such patronage would last, or with what steadiness, skill, or perseverance it would continue to be granted? It is now nearly fifteen years since, among the first things which I ever ventured to say here, I expressed a serious doubt whether this government was fitted, by its construction, to administer aid and protection to particular pursuits; whether, having called such pursuits into being by indications of its favor, it would not afterwards desert them, should troubles come upon them, and leave them to their fate. Whether this prediction, the result, certainly, of chance, and not of sagacity, is about to be fulfilled, remains to be seen."

In the same speech Mr. Webster states the grounds on which New England had been compelled to change her policy; and, as it is as clear a defense of his own course as can be given, or need to be given, a further extract is appropriate to the narrative of his life: "At the same time it is true," says he, in continuation of his remarks, "that, from the very first commencement of the government, those who have administered its concerns have held a tone of encouragement and invitation towards those who should embark in manufactures. All the

presidents, I believe without exception, have concurred in this general sentiment; and the very first act of congress laying duties on imports adopted the unusual expedient of a preamble, apparently for little other purpose than that of declaring that the duties which it imposed were laid for the encouragement and protection of manufactures. When, at the commencement of the late war, duties were doubled, we were told that we should find a mitigation of the weight of taxation in the new aid and succor which would be thus afforded to our own manufacturing labor. Like arguments were urged, and prevailed, but not by the aid of New England votes, when the tariff was afterwards arranged, at the close of the war in 1816. Finally, after a whole winter's deliberation, the act of 1824 received the sanction of both houses of congress, and settled the policy of the country. What, then, was New England to do? She was fitted for manufacturing operations, by the amount and character of her population, by her capital, by the vigor and energy of her free labor, by the skill, economy, enterprise, and perseverance of her people. I repeat, what was she, under those circumstances, to do? A great and prosperous rival in her near neighborhood, threatening to draw from her a part, perhaps a great part, of her foreign commerce; was she to use, or to neglect, those other means of seeking her own prosperity which belonged to her character and condition? Was she to hold out forever against the course of the government, and see herself losing on one side, and yet make no effort to sustain herself on the other? No, sir. Nothing was left to New England, after the act of 1824, but to conform herself to the will of others. Nothing was left to her, but to consider that the government had fixed and determined her own policy; and that policy was *protection*."

This protection, however, had become, as has been seen, and for the reason that has been assigned, distasteful to the south and west, but particularly to the south. The south could not

get quite enough of the votes of the west, and of the middle states, to carry out her unparental zeal in the destruction of her own offspring. Protection had been settled as the policy of the government; and the tariff of 1828 had passed, not only without the help of the south, but in spite of it. Upon this, the greater part of the southern states, and all the western, had honorably submitted to a vote of congress, and to the laws established according to the forms and requisitions of the constitution. South Carolina, however, had chosen to constitute an exception to this general fact. South Carolina, led by Mr. Calhoun, the vice-president under General Jackson, finding it impossible to break down the tariff by the only mode of legislating recognized or provided for in the constitution, had taken it upon herself to seek out another mode, which the constitution virtually, constructively, and actually everywhere forbids. She had set up the doctrine of state-rights. She had declared, that, whenever laws should be passed distasteful to a state, that state had the right, in spite of congress, in spite of its laws, in spite of everything, to declare such legislation null and void within her own territorial limits. Not only had this strange, this novel, this dangerous doctrine been put forth in theory, in speculation, in the heat and excitement of debate, but there was then a small but vigorous party in the senate, and in the house, which acknowledged the vice-president himself as its chief, with such gentlemen as Mc Duffie and Hayne as parliamentary leaders, which threatened, provided the tariff policy was not repealed, to put the theory into immediate practice, cost what it might.

Such was the position of affairs when Andrew Jackson took his place as president of the United States. Such was the position at the opening of the first session of the twenty-first congress. The era of bitter feeling had grown more and more bitter. The doctrine of disunion had begun to be secretly discussed. So combustible were the elements of congress, and of the party

that supported the administration, and, in fact, of the administration itself, that only a spark was needed to blow up a conflagration. That spark, unconsciously, accidentally, and innocently, was soon struck.

On the 29th of December, 1829, a resolution was moved by Mr. Foote, a senator from Connecticut, in the following language: "Resolved, That the committee on public lands be instructed to inquire and report the quantity of public lands remaining unsold within each state and territory. And whether it be expedient to limit for a certain period the sales of the public lands to such lands only as have heretofore been offered for sale and are now subject to entry at the minimum price. And, also, whether the office of surveyor-general, and some of the land-offices, may not be abolished without detriment to the public interest." To this resolution, as here stated, an amendment was subsequently added by the motion of a senator from Maine, Mr. Sprague, in the following words: "Or whether it be expedient to adopt measures to hasten the sales and extend more rapidly the surveys of the public lands."

Such a resolution, certainly, a resolution of mere inquiry, was innocent enough, and could not, under ordinary circumstances, and in an ordinary state of public feeling, have produced the protracted and celebrated debate which ensued. As the state of feeling was, in fact, it required no little tact, on the part of the disunion members of congress, to make the resolution the means, or the parliamentary support, of the wide and rambling discussion of the general and sectional bearings of almost every measure of the government since the adoption of the constitution. Mr. Calhoun, however, who was the source and center of the new doctrines, was in the chair; and it was very much at his option to protract or limit the debate. He sat there, in the vice-presidential chair, secretly enjoying its progress, because he heard, almost every day for weeks, from the lips of his confederates, the advocacy of a doctrine to which

he looked with a fond and paternal care. From the 29th of December to the middle of the next month, the Great Debate, as the newspapers began to style it, like the broken-backed serpent of the poet, dragged its slow length along. It was soon destined to fall into hands capable of elevating it from the lowest depths of party strife to the height of a world-wide renown.

That renown makes it important to set down, with more than usual minuteness, the chronological order of the entire debate. The original resolution, as has been stated, was offered by Mr. Foote on the 29th of December, 1829. Mr. Foote, in presenting it, made a very brief explanation of his object, which was, as he said, merely to elicit facts in regard to our public lands. Mr. Foote was answered by Mr. Benton, senator from Missouri, in his boldest and somewhat intemperate manner. He declared it to be a resolution of inquiry, not in regard to the public lands exactly, but how New England could perpetrate a long-meditated wrong upon the interests of the west. This intention was disavowed at once, not only by Mr. Foote himself, but by several eastern members, who addressed the senate briefly on the day after the resolution was introduced. At the close of that day's discussion of the subject, it was made the order of the day for January the 11th, 1830. It was not taken up, however, till the 13th of January, when several western members spoke vehemently and very discursively against the resolution. It was then laid over to the 18th, on which day Mr. Benton again took the floor and spoke at great length, violently resisting the inquiry, and closing up with a set and deliberate attack on New England and her policy. He accused her of having always been unfriendly to the west. He declared that the west had grown only because she could prosper in spite of the opposition of New England; and he used language, and declared sentiments, which, to say the least, had perhaps never been paralleled, up to that period, in

either the senate or the house. On the day following, January the 19th, several eastern senators, and among them Mr. Holmes, of Maine, again disclaimed all intention of wronging the west, and defended New England from all imputation of the kind. When Mr. Holmes sat down, Mr. Hayne, of South Carolina, the rising favorite of his state and the champion of Mr. Calhoun in the senate, took the floor.

Mr. Hayne was one of the youngest members of the senate. A spare but rather comely man, he possessed no small sprightliness of talents, and a great readiness of speech. He had been of a very precocious character from his youth. Having risen to respectability as a speaker before he had become a man, immediately upon his reaching manhood and coming into public life, his oratory had given him position, emolument, and fame. As an orator, he was rapid, fiery, and of such remarkable quickness and facility of speech, that he seemed to run all round a slower adversary before he had time to think. By the time an opponent could get himself to understand what had been last said, and began to see through the force of it, the sprigthly genius would be off, quick as light, on some other topic, pouring out a volley of words, of figures, of rhetoric all ablaze, which seemed to stun and blind whom it did not convince. Such was his rapidity of utterance, that, when most excited, he appeared to stand in the centre of a halo of brilliant speech, almost transfigured, with eye, lip, hands, feet, all on fire with a sort of tremulous animation. In this peculiar way, he was very eloquent. Or rather, he was an astonishment. He was less remarkable for what he said, than for his way of saying it. Though not very able in point of argument, he was not destitute of logic. Sometimes he would throw out a thought, quick and unexpected, that hit a listener like a bullet. Withal, he was graceful, and, in general, courteous, though occasionally, when most rapt, he would utter language which could not be regarded as entirely decorous. When his passions were dis-

turbed, he would become even personal, and violent, and offensive; and the facility and rapidity of his utterance, which he and his friends took for power of speech, and in which, it was quite evident, he had a secret confidence, pushed him not infrequently beyond his better judgment, and made him arrogant and supercilious.

The speech of Mr. Hayne, in which he made a sensible impression on the lobbies, though but little on the senate, closed the discussion for that day. On the next day, January the 20th, Mr. Webster made his first reply to this prodigy and champion of the south. Until Hayne had spoken, Mr. Webster had kept his seat, and had given no signs of his intending to address the senate on the resolution. He was, in fact, at that very time, daily and assiduously engaged in the supreme court, in the case of Carver's Lessees against John Jacob Astor, a cause which demanded his attention and occupied his thoughts. The speech of Mr. Hayne, however, brought the new doctrine of South Carolina so fully out, and made so bold and vigorous an attack on the New England States, that he could no longer, in duty to himself or to his constituents, keep his seat. His speech was a very calm argument, expressed in very moderate language, and delivered in a most conciliatory style, directly touching the resolution before the senate. After a brief introduction, giving the reasons for his speaking on the question, and explaining the question itself, he went on, in the first place, to reply to the statements of Mr. Hayne in relation to the policy of the government respecting the sale of the public lands. He showed conclusively that that policy had always been liberal and wise. Then he proceeded to examine Mr. Hayne's objection to a fixed revenue, or any revenue, as it served the purposes of what the South Carolina senator stigmatized as *consolidation;* but Mr. Webster clearly proved, that it was not consolidation, in the bad sense in which this new school of politicians used the term, but in the patriotic import of the

term as employed by Washington, that roused the opposition of these southern gentlemen. They opposed consolidation, that is, a settled general government, because they were out with that government, because they wished to overthrow it, and because they intended, if successful, to erect their doctrine of state sovereignty, and state rights, and state independence, on the ruins of the constitution. Next Mr. Webster advanced to what Mr. Hayne had said, in the most invidious and offensive manner, against the New England states, because those states were friendly to a tariff; and he demonstrated, that, whatever the policy of protection was, whether good or bad, it was not originally a New England measure, but a measure adopted by New England from the hands of southern politicians, the leader of whom, Mr. Calhoun, was a South Carolina man. Mr. Hayne had spoken largely and loudly, also, against the doctrine of internal improvements; and Mr. Webster next proved, by testimony taken from the speeches of southern members of congress, in fact by a speech of Mr. Mc Duffie, another South Carolina congressman, that the south had itself once claimed the authorship, denying the honor to every other section of the Union, of that very system of internal improvements, which Mr. Hayne, with characteristic levity, now abandoned and abused. In all these respects, and at every period in the history of the government, Mr. Webster showed, that New England had pursued a liberal policy toward the western states, and a magnanimous and conservative course toward the south. As a general example of the effect of this generous course, he drew a picture of Ohio as she was about the time when the policy of the government, by the votes of New England, was established, and of Ohio as she had become, which has been everywhere and ever since admired: "And here, sir, at the epoch of 1794," said the senator, "let us pause and survey the scene, as it actually existed thirty-five years ago. Let us look back and behold it. Over all that is now Ohio there then

stretched one vast wilderness, unbroken except by two small spots of civilized culture, the one at Marietta, and the other at Cincinnati. At these little openings, hardly each a pin's point upon the map, the arm of the frontier-man had leveled the forest and let in the sun. These little patches of earth, themselves almost overshadowed by the boughs of that wilderness, which had stood and perpetuated itself, from century to century, ever since the creation, were all that had then been rendered verdant by the hand of man. In an extent of hundreds and thousands of square miles, no other surface of smiling green attested the presence of civilization. The hunter's path crossed mighty rivers, flowing in solitary grandeur, whose sources lay in remote and unknown regions of the wilderness. It struck upon the north on a vast inland sea, over which the wintry tempests raged as on the ocean; all around was bare creation. It was fresh, untouched, unbounded, magnificent wilderness. And, sir, what is it now? Is it imagination only, or can it possibly be fact, that presents such a change as surprises and astonishes us, when we turn our eyes to what Ohio now is? Is it reality, or a dream, that, in so short a period even as thirty-five years, there has sprung up, on the same surface, an independent state with a million of people? A million of inhabitants! an amount of population greater than that of all the cantons of Switzerland; equal to one third of all the people of the United States when they undertook to accomplish their independence. This new member of the republic has already left far behind her a majority of the old states. She is now by the side of Virginia and Pennsylvania; and, in point of numbers, will shortly admit no equal but New York herself. If, sir, we may judge of measures by their results, what lessons do these facts read us upon the policy of the government? What inferences do they authorize upon the general question of kindness or unkindness? What convictions do they enforce as to the wisdom and ability, on the one hand, or the folly and

incapacity, on the other, of our general administration of western affairs? Sir, does it not require some portion of self-respect in us to imagine, that, if our light had shone on the path of government, if our wisdom could have been consulted in its measures, a more rapid advance to strength and prosperity would have been experienced? For my own part, while I am struck with wonder at the success, I also look with admiration at the wisdom and foresight, which originally arranged and prescribed the system for the settlement of the public domain. Its operation has been, without a moment's interruption, to push the settlement of the western country to the extent of our utmost means."

Clear and conclusive as was Mr. Webster's speech, it did not terminate the discussion of the resolution. It only roused up the southern members to put forth all their strength. They had achieved something, they thought, in getting Mr. Webster to his feet. It was their settled purpose, there is no doubt, not only to attack New England and render her odious in the eyes of the other sections of the Union, but particularly to attack and demolish Mr. Webster, who had been ever the chief reliance of the New England states. No sooner, therefore, had Mr. Webster taken his seat, than Mr. Benton stood up, ready to deal his heaviest blows on the head of the senator from Massachusetts; and the remainder of that day, January the 20th, was thus occupied. The next day, Mr. Webster was under obligations to attend in the supreme court, where the case already mentioned was to come on for argument; and Mr. Chambers, of Maryland, accordingly, with a becoming courtesy, and a courtesy always extended heretofore on similar emergencies, moved an adjournment, or a postponement of the question, for Mr. Webster's accommodation. Mr. Hayne, however, was too eager to be courteous. He rose and objected to any postponement of the discussion. "He saw the gentleman from Massachusetts in his seat," he said, "and pre-

sumed he could make an arrangement which would enable him to be present, here, during the discusssion to-day. He was unwilling that this subject should be postponed before he had an opportunity of replying to some of the observations which had fallen from that gentleman yesterday. He would not deny that some things had fallen from him which rankled here, [touching his breast,] from which he would desire at once to relieve himself. The gentleman had discharged his fire in the presence of the senate. He hoped he would now afford him an opportunity of returning the shot." This last remark was uttered, it is said, in a very taunting and defiant air; as if the South Carolina senator felt that he had only to touch the trigger, and his great antagonist would fall. The tone of defiance, however, was not likely to intimidate such a man as Mr. Webster. With a compassionate smile, he answered from his seat: "Let the discussion proceed; I am ready, now, to receive the gentleman's fire!"

But it was not then Mr. Hayne's place to speak. Mr. Benton had the floor; and he had delivered only the exordium of his speech on the day before. He now proceeded, according to his usual manner, to utter some sweeping charges against New England in relation to its bearing in congress toward the west, and sustained his charges with great vehemence of style, by a few quotations of irrelevant votes, and by an hour or two's length of severe denunciation, highly declamatory, but without his usual point. Mr. Hayne rose as Mr. Benton took his seat; and, after speaking in reply to Mr. Webster longer than Mr. Webster had himself spoken, he found himself only at the threshold of what he wished to say. Exhausted, and out of breath, he reached the hour of adjournment, when, probably for his accommodation, the subject was postponed till the 25th, and made the special order for that day. The day arrived. The senate chamber and the lobbies were well filled with spectators. Mr. Hayne proceeded with

his speech, which consisted of a defense of the doctrine of South Carolina, which claimed the right, as a reserved state aight, of nullifying the laws of the general government, whenever, in her opinion, those laws were plainly and palpably unconstitutional. He endeavored to show that the doctrine was not a new one; that it had been originally set up by Virginia; and that, what was expected by him, doubtless, to be a particular and triumphant overthrow of Mr. Webster, it had been maintained by numerous writers, orators, and even ministers in Massachusetts. He spoke, this day, about two hours and a half; and Mr. Webster rose, with the intention of making an immediate answer, the very moment when Mr. Hayne took his seat. The day, however, was nearly gone; and, as every one now seemed desirous to give Mr. Webster time to reply at length, the nullifiers themselves now feeling, after Mr. Hayne's great effort, that they could afford to be magnanimous, and thus make the victory and the defeat more signal, the senate immediately adjourned.

The next day was the day of days in the senate of the United States. It was the day never to be forgotten, as long as argument, and eloquence, and triumph, are words possessed of any meaning in any language or dialect on earth. It was the day of the delivery of the greatest parliamentary speech ever listened to on this continent; and it was a day, which, for any similar or equal effort, will scarcely find a parallel, it may be, for a hundred generations. Never, till that day came, had the illustrious orator of New England, of America, of the nineteenth century, been fully roused. Never had he felt called upon, or been pushed to put forth all his powers. Until that day, and that occasion, no man, not even his best friend and his warmest admirer, had known the full strength, the vast sweep, the unrivaled and resistless might of his massive, majestic, and imperial mind. It is likely that he had never been entirely conscious of his whole power himself.

From the conclusion of that day, however, his friends, his enemies, the senate, the country, and the world, have been able to understand, with a nearer approach to truth, how much of every human faculty, how much of every possible endowment, how much of every manner and measure of attainment, how much of every element that can enter into the mental and moral constitution of a man, is comprehended in the name, often used but seldom fathomed, of Daniel Webster.

It is remarkable, very remarkable, that, of the hundreds who listened to that speech, and of the many who were entirely capable of appreciating and describing its delivery and effect, so few should have taken the pains to portray what they saw, and felt, and heard. In fact, while the world has, ever since its delivery, resounded with its fame, but two or three persons have ever given such account of it, as could aid materially the imagination of other persons, or satisfy the curiosity of mankind. One of those individuals is Mr. Justice Sprague, at the time a senator from Maine, and the mover of the amendment to Mr. Foote's resolution, but now of the bench of Massachusetts. Immediately upon the death of Mr. Webster, the circuit court, sitting in Boston, met to commemorate the event; and Mr. Sprague was requested, as one of the speakers on the occasion, particularly to dwell. for the satisfaction of the court, on the great effort now under consideration. In compliance with this request, after speaking generally of the unequaled talents and attainments of Mr. Webster, he proceeded: "The present occasion does not permit me to verify these general remarks by specific and detailed references; nor has the time arrived when his later efforts can be dispassionately considered. But there is one speech, made so long since as to be now matter of history, and involving no topic of personal excitement, of which I have been especially requested to speak, because it is the more celebrated; and of the then senators from New England, I am, with one exception, the only survivor; and it is

proper to speak of it here and now, because a great, vital question of constitutional law was, by that speech, settled as completely and irrevocably as it could have been by the greatest minds in the highest judicial tribunals.

"Mr. Foote's resolution involved merely the question of limiting or extending the survey of the public lands. Upon this, Mr. Benton and Mr. Hayne addressed the senate, condemning the policy of the eastern states, as illiberal toward the west. Mr. Webster replied, in vindication of New England and the policy of the government. It was then that General Hayne made the assault which that speech repelled.

"It has been asked if it be possible that that reply was made without previous preparation. There could have been no special preparation before the speech began to which it was an answer. When General Hayne closed, Mr. Webster followed, with the interval, only, of the usual adjournment of one night. His reply was made to repel an attack, sudden, unexpected, and almost unexampled, an attack on Mr. Webster personally, upon Massachusetts and New England, and upon the constitution.

"There can be little doubt that this attack was the result of premeditation, concert and arrangement. His assailant selected his own time, and that, too, peculiarly inconvenient to Mr. Webster, for at that moment, the supreme court were proceeding in the hearing of a cause of great importance, in which he was leading counsel. For this reason, he requested, through a friend, a postponement of the debate. General Hayne objected; and the request was refused. The assailant, too, selected his own ground, and made his choice of topics, without reference to the resolution before the senate, or the legitimate subject of debate. The time, the matter, and the manner, indicate that the attack was made with a design to crush a formidable political opponent. To this end, personal history, the annals of New England and of the federal party

were ransacked for materials. It was attempted to make him responsible, not only for what was his own, but for the opinions and conduct of others. All the errors and delinquencies, real or supposed, of Massachusetts, and the eastern states, and of the federal party, during the war of 1812, and throughout their history, were to be accumulated on him. It was supposed, that, as a representative, he would be driven to defend what was indefensible, and to uphold what could not be sustained, and as a federalist, to oppose the popular resolutions of '98.

"General Hayne heralded his speech with a declaration of war, with taunts and threats, vaunting anticipated triumph, as if to paralyze by intimidation; saying that he had something rankling in his breast, and that he would carry the war into Africa, until he had obtained indemnity for the past and security for the future.

"Mr. Webster evidently felt the magnitude of the occasion, and a consciousness that he was more than equal to it. On no other occasion, although I have heard him hundreds of times, have I seen him so thoroughly aroused. Yet, when he commenced, and throughout the whole, he was perfectly self-possessed and self-controlled. Never was his bearing more lofty, his person more majestic, his manner more appropriate and impressive.

"At first, a few of his opponents made some show of indifference. But the power of the orator soon swept away all affectation; and a solemn, deep, absorbing interest, was manifested by all, and continued even through his profound discussion of constitutional law.

"When he closed, the impression upon all was too deep for utterance, and, to this day, no one who was present has spoken of that speech, but as a matchless achievement and a complete triumph. When he sat down, General Hayne arose, and endeavored to restate and reënforce his argument. This in-

stantly called forth from Mr. Webster that final, condensed reply, which has the force of a moral demonstration."

This statement, however, authentic and comprehensive as it is, does not meet the demand which exists everywhere, and always will exist, to have a more particular description of the scene. The great artist, George P. A. Healey, has put the scene on canvas; but painting, graphic and striking in such portraitures, is too limited in its range. The universal mind of the age wants the word-picture, a picture that can be indefinitely multiplied, and universally exhibited; and such a picture has been given, with what precise accuracy persons not present will never be able entirely to determine, but which, if accurate, is certainly brilliant, and satisfactory:

"It was on Tuesday, January the 26th, 1830"—says the writer, Mr. C. W. March, whom all subsequent historians and biographers will be compelled to quote*—"a day to be hereafter forever memorable in senatorial annals,—that the senate resumed the consideration of Foote's resolution. There never was before, in the city, an occasion of so much excitement. To witness this great intellectual contest, multitudes of strangers had for two or three days previous been rushing into the city, and the hotels overflowed. As early as nine o'clock of this morning, crowds poured into the capitol, in hot haste; at twelve o'clock, the hour of meeting, the senate-chamber,—its galleries, floor, and even lobbies,—was filled to its utmost capacity. The very stairways were dark with men, who hung on to one another, like bees in a swarm.

"The house of representatives was early deserted. An adjournment would have hardly made it emptier. The speaker, it is true, retained his chair, but no business of moment was, or

* Mr. Everett's abridgment of Mr. March's pages is adopted. Those who wish to read the account entire, can do so in Mr. March's work—"Reminiscences of Congress"—which will well repay a perusal.

could be, attended to. Members all rushed in to hear Mr. Webster, and no call of the house or other parliamentary proceedings could compel them back. The floor of the senate was so densely crowded, that persons once in could not get out, nor change their position; in the rear of the vice-presidential chair, the crowd was particularly intense. Dixon H. Lewis, then a representative from Alabama, became wedged in here. From his enormous size, it was impossible for him to move without displacing a vast portion of the multitude. Unfortunately, too, for him, he was jammed in directly behind the chair of the vice-president, where he could not see, and hardly hear, the speaker. By slow and laborious effort—pausing occasionally to breathe—he gained one of the windows, which, constructed of painted glass, flank the chair of the vice-president on either side. Here he paused, unable to make more headway. But determined to see Mr. Webster as he spoke, with his knife he made a large hole in one of the panes of the glass; which is still visible as he made it. Many were so placed, as not to be able to see the speaker at all.

"The courtesy of senators accorded to the fairer sex room on the floor—the most gallant of them their own seats. The gay bonnets and brilliant dresses threw a varied and picturesque beauty over the scene, softening and embellishing it.

"Seldom, if ever, has speaker in this or any other country had more powerful incentives to exertion; a subject, the determination of which involved the most important interests, and even duration, of the republic; competitors, unequaled in reputation, ability, or position; a name to make still more glorious, or lose forever; and an audience, comprising not only persons of this country most eminent in intellectual greatness, but representatives of other nations, where the art of eloquence had flourished for ages. All the soldier seeks in opportunity was here.

"Mr. Webster perceived, and felt equal to, the destinies of

the moment. The very greatness of the hazard exhilerated him. His spirits rose with the occasion. He awaited the time of onset with a stern and impatient joy. He felt like the war-horse of the Scriptures,—who 'paweth in the valley, and rejoiceth in his strength: who goeth on to meet the armed men; who sayeth among the trumpets, Ha, ha! and who smelleth the battle afar off, the thunder of the captains and the shouting.'

"A confidence in his own resources, springing from no vain estimate of his power, but the legitimate offspring of previous severe mental discipline, sustained and excited him. He had guaged his opponents, his subject, and *himself*.

"He was, too, at this period, in the very prime of manhood. He had reached middle age—an era in the life of man, when the faculties, physical or intellectual, may be supposed to attain their fullest organization, and most perfect development. Whatever there was in him of intellectual energy and vitality, the occasion, his full life and high ambition, might well bring forth.

"He never rose on an ordinary occasion to address an ordinary audience more self-possessed. There was no tremulousness in his voice or manner; nothing hurried, nothing simulated. The calmness of superior strength was visible everywhere; in countenance, voice and bearing. A deep-seated conviction of the extraordinary character of the emergency, and of his ability to control it, seemed to possess him wholly. If an observer, more than ordinarily keen-sighted, detected at times something like exultation in his eye, he presumed it sprang from the excitement of the moment, and the anticipation of victory.

"The anxiety to hear the speech was so intense, irrepressible, and universal, that no sooner had the vice-president assumed the chair, than a motion was made and unanimously carried, to postpone the ordinary preliminaries of senatorial action, and to take up immediately the consideration of the resolution.

"Mr. Webster rose and addressed the senate. His exordium is known by heart, everywhere: 'Mr. President, when the mariner has been tossed, for many days, in thick weather, and on an unknown sea, he naturally avails himself of the first pause in the storm, the earliest glance of the sun, to take his latitude, and ascertain how far the elements have driven him from his true course. Let us imitate this prudence; and before we float further, on the waves of this debate, refer to the point from which we departed, that we may, at least, be able to form some conjecture where we now are. I ask for the reading of the resolution.'

"There wanted no more to enchain the attention. There was a spontaneous, though silent, expression of eager approbation, as the orator concluded these opening remarks. And while the clerk read the resolution, many attempted the impossibility of getting nearer the speaker. Every head was inclined closer towards him, every ear turned in the direction of his voice—and that deep, sudden, mysterious silence followed, which always attends fullness of emotion. From the sea of upturned faces before him, the orator beheld his thoughts reflected as from a mirror. The varying countenance, the suffused eye, the earnest smile, and ever-attentive look, assured him of his audience's entire sympathy. If among his hearers there were those who affected at first an indifference to his glowing thoughts and fervent periods, the difficult mask was soon laid aside, and profound, undisguised, devoted attention followed. In the earlier part of his speech, one of his principal opponents seemed deeply engrossed in the careful perusal of a newspaper he held before his face; but this, on nearer approach, proved to be *upside down.* In truth, all, sooner or later, voluntarily, or in spite of themselves, were wholly carried away by the eloquence of the orator.

"Those who had doubted Mr. Webster's ability to cope with and overcome his opponents, were fully satisfied of their

error before he had proceeded far in his speech. Their fears soon took another direction. When they heard his sentences of powerful thought, towering in accumulative grandeur, one above the other, as if the orator strove, Titan-like, to reach the very heavens themselves, they were giddy with an apprehension that he would break down in his flight. They dared not believe that genius, learning, any intellectual endowment however uncommon, that was simply mortal, could sustain itself long in a career seemingly so perilous. They feared an Icarian fall.

"What New England heart was there but throbbed with vehement, tumultuous, irrepressible emotion, as he dwelt upon New England sufferings, New England struggles, and New England triumphs during the war of the revolution? There was scarcely a dry eye in the senate; all hearts were overcome; grave judges and men grown old in dignified life, turned aside their heads, to conceal the evidences of their emotion.

"In one corner of the gallery was clustered a group of Massachusetts men. They had hung from the first moment upon the words of the speaker, with feelings variously but always warmly excited, deepening in intensity as he proceeded. At first, while the orator was going through his exordium, they held their breath and hid their faces, mindful of the savage attack upon him and New England, and the fearful odds against him, her champion; as he went deeper into his speech, they felt easier; when he turned Hayne's flank on Banquo's ghost, they breathed freer and deeper. But now, as he alluded to Massachusetts, their feelings were strained to their highest tension; and when the orator, concluding his encomium upon the land of their birth, turned, intentionally, or otherwise, his burning eye full upon them—*they shed tears like girls!*

"No one who was not present can understand the excitement of the scene. No one who was, can give an adequate

description of it. No word-painting can convey the deep, intense enthusiasm, the reverential attention, of that vast assembly—nor limner transfer to canvas their earnest, eager, awe-struck countenances. Though language were as subtile and flexible as thought, it still would be impossible to represent the full idea of the scene. There is something intangible in an emotion, which cannot be transferred. The nicer shades of feeling elude pursuit. Every description, therefore, of the occasion, seems to the narrator himself most tame, spiritless, unjust.

"Much of the instantaneous effect of the speech arose, of course, from the orator's delivery—the tones of his voice, his countenance, and manner. These die mostly with the occasion that calls them forth—the impression is lost in the attempt at transmission from one mind to another. They can only be described in general terms. 'Of the effectiveness of Mr. Webster's manner, in many parts,' says Mr. Everett, 'it would be in vain to attempt to give any one not present the faintest idea. It has been my fortune to hear some of the ablest speeches of the greatest living orators on both sides of the water, but I must confess, I never heard anything which so completely realized my conception of what Demosthenes was, when he delivered the Oration for the Crown.'

"The variety of incident during the speech, and the rapid fluctuation of passions, kept the audience in continual expectation and ceaseless agitation. There was no chord of the heart the orator did not strike, as with a master-hand. The speech was a complete drama of comic and pathetic scenes; one varied excitement; laughter and tears gaining alternate victory.

"A great portion of the speech is strictly argumentative; an exposition of constitutional law. But grave as such portion necessarily is, severely logical, abounding in no fancy or episode, it engrossed throughout the undivided attention of every intelligent hearer. Abstractions, under the glowing genius of

the orator, acquired a beauty, a vitality, a power to thrill the blood and enkindle the affections, awakening into earnest activity many a dormant faculty. His ponderous syllables had an energy, a vehemence of meaning in them that fascinated, while they startled. His thoughts in their statuesque beauty merely would have gained all critical judgment; but he realized the antique fable, and warmed the marble into life. There was a sense of power in his language—of power withheld and suggestive of still greater power—that subdued, as by a spell of mystery, the hearts of all. For power, whether intellectual or physical, produces in its earnest development a feeling closely allied to awe. It was never more felt than on this occasion. It had entire mastery. The sex, which is said to love it best and abuse it most, seemed as much or more carried away than the sterner one. Many who had entered the hall with light, gay thoughts, anticipating at most a pleasurable excitement, soon became deeply interested in the speaker and his subject—surrendered him their entire heart; and, when the speech was over, and they left the hall, it was with sadder perhaps, but, surely, with far more elevated and ennobling emotions.

"The exulting rush of feeling with which he went through the peroration, threw a glow over his countenance, like inspiration. Eye, brow, each feature, every line of the face, seemed touched, as with a celestial fire. All gazed as at something more than human. So Moses might have appeared to the awe-struck Israelites, as he emerged from the dark clouds and thick smoke of Sinai, his face all radiant with the breath of divinity!

"The swell and roll of his voice struck upon the ears of the spell-bound audience, in deep and melodious cadence, as waves upon the shore of the 'far-resounding' sea. The Miltonic grandeur of his words was the fit expression of his thought, and raised his hearers up to his theme. His voice, exerted to its utmost power, penetrated every recess or corner of the senate—

penetrated even the ante-rooms and stairways, as he pronounced in deepest tones of pathos these words of solemn significance: 'When my eyes shall be turned to behold, for the last time, the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious Union; on states dissevered, discordant, belligerent! on a land rent with civil feuds, or drenched, it may be, in fraternal blood! Let their last feeble and lingering glance rather behold the gorgeous ensign of the Republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in their original luster, not a stripe erased nor polluted, not a single star obscured, bearing for its motto no such miserable interrogatory as "What is all this worth?" Nor those other words of delusion and folly, Liberty first and Union afterwards; but everywhere, spread all over in characters of living light, blazing on all its ample folds, as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment, dear to every American heart, LIBERTY *and* UNION, NOW AND FOREVER, ONE AND INSEPARABLE.'

"The speech was over, but the tones of the orator still lingered upon the ear, and the audience, unconscious of the close, retained their positions. The agitated countenance, the heaving breast, the suffused eye, attested the continued influence of the spell upon them. Hands that in the excitement of the moment had sought each other, still remained closed in an unconscious grasp. Eye still turned to eye, to receive and repay mutual sympathy; and everywhere around seemed forgetfulness of all but the orator's presence and words."

The speech, indeed, was over; but the fame of it will remain in the world, probably, as long as the English language. It will be read and admired by scores and hundreds of coming generations. It is now universally regarded, in this country and in Europe, as the master-piece of modern eloquence. Neither Pitt, nor Fox, nor Burke, ever surpassed it. It will

probably not be surpasssed, if it is ever equaled, on this continent. Ages must pass, if the future is to be judged by what has been, before the man, the occasion, and the provocation will again come together, and make such an effort again possible. It only remains for us, Americans, to remember that we owe the distinction of having produced the proudest and mightiest parliamentary effort since the days of the classic orators, to a man, an orator, a statesman, an American citizen, who, born in obscurity and raised to this exalted point of power entirely under the influence of those republican institutions which he so gloriously defended, accomplished enough to make his country illustrious, and his own name immortal.

The immediate popularity of the speech is without a parallel in this country. It called forth the loudest encomiums from all the presses, whig and democratic, of the nation, with the exception, of course, of those of South Carolina. It virtually closed the debate, though Mr. Foote's resolution continued before the senate till the 21st of May, when it was indefinitely postponed; but the controversy, and the doctrine on which it had been based in congress, was not given up by those members who had started it. It continued to occupy them for the next three years, during which period it was also Mr. Webster's chief care to watch and overturn their movements.

In the first days of December, 1832, South Carolina passed her celebrated ordinance of nullification, which forbade the collection of the revenues of the United States accruing under the tariff of 1828; and on the 11th of the same month, President Jackson, who had secretly gloried in Mr. Webster's victory over the vice-president, and that gentleman's faction of the democratic party, sent forth his famous proclamation. The counter proclamation of Mr. Hayne, now governor of his state, immediately succeeded, whereupon, as was calculated by Mr. Calhoun, who had resigned the vice-presidency and taken a seat in the senate, President Jackson laid the whole matter before congress in a special message, dated

January 16th, 1833; and, in five days afterwards, the Force Bill, or a bill "to make further provision for the collection of the revenue," was introduced into the senate by Mr. Wilkins, of Pennsylvania. On the 22d, Mr. Calhoun read to the senate, a series of resolutions in opposition to this bill, and afterwards sustained them by a speech, which, continuing through two days (the 15th and 16th of February) is generally regarded as the ablest of his published efforts. To this speech, Mr. Webster made an immediate reply, which occupied more than five hours in its delivery, and is looked upon by the best judges as superior, in pure argument, to his more celebrated speech on Foote's resolution, but not so graphic, powerful or popular in style. In his answer to Mr. Hayne, he had a popular orator to meet; and he had met him, and overwhelmed him, on his own ground, and in his own method. In his answer to Mr. Calhoun, he had to encounter a subtle logician, an acute and metaphysical dialectician; and him he met, and him he mastered and routed from his strong-holds, by a logic more deep, by dialectics equally acute, and by a general strain of argument which his antagonist never answered, nor tried to answer. So far as argument could go, in fact, the controversy here closed. The presses of the country, of both parties, again teemed with their admiration of his patriotism and abilities. With the highest honors of his own party now upon him, he received daily and hourly the eulogiums of the democratic party. The past and the present seemed to conspire to give him their benedictions; Ex-President Madison, the champion of the older democracy of the country, and as the representative of that democracy, sent him an autograph letter, thanking him in the warmest terms for his services in overthrowing the South Carolina faction; and, stranger still, on the day when he made his closing speech against that faction, the existing president of the United States, who embodied the principles, and sentiments, and will of the ruling democracy of that period, sent him to

the senate-chamber, as if to complete the form and reality of the ovation, in his own carriage. At that moment, in fact, there was no individual in the country, nor a man on this continent, who carried in himself the respect, the influence, the power then possessed and exercised by Daniel Webster.

CHAPTER IX.

SECOND TERM AS SENATOR FROM MASSACHUSETTS.

While following out the public career of a great man, the world is very apt to forget him almost altogether as a private individual. His household, his home, which to him, with all his labors and honors, constitutes the charmed center of his thoughts, and for the sake of which, as he sees things, are all his exertions, and all the fruits of his exertions, are scarcely recollected. What others look upon with such admiration as to blind them to all else in the great man's history, he regards as very trivial, as mere out-door talk, as a shadow of something far more real and infinitely more dear to him, when, his public character laid entirely aside as not to be now cared for, he sits at his own fireside, where the joys of the family are now his only joys, where its cares are his solicitudes, and where he basks in the soft sunlight, shaded though it occasionally be, of domestic love, peace and quietude. This is particularly true in looking into the life of so great a man as Webster; and we are sometimes compelled to turn our eyes backward, for a short time, at least, as at this moment, to bring up events, serene or sorrowful, pertaining to the domestic circle.

It will be rembered, that, in the year 1808, and in the twenty-sixth of his life, Mr. Webster married Grace Fletcher, daughter of the Rev. Mr. Fletcher of Hopkinton, New Hampshire; and if it be true, as has been remarked by Tacitus, that "the praise of a valuable wife should always rise in proportion

to the weight of censure that falls on such as dishonor the nuptial union," the virtues of Grace Fletcher deserve a monument more durable than brass or marble. In addition to her personal beauty, and to the refinement of her well-developed and well-stored mind, she was renowned for the amiableness of her disposition, the sweetness of her temper, and the overflowing benevolence of her heart, from childhood to womanhood, at home and everywhere, from the beginning to the end of her existence. One ruling sentiment, if it were not a passion, was the characteristic of her being after marriage. That was her devotion to her husband. In every sense of the word, in which it bears a consistent and proper meaning, Mr. Webster was her idol. She loved him with the deepest possible affection. She loved him as the husband of her youth, whom she received to her heart, when he himself had nothing better than his own great and good heart to give; and from the day of their acquaintance, particularly from the day of their marriage, his happiness was her daily study, his success was her constant theme, his renown, as he began to have a renown, and to grow in it, was watched, and cherished, and enjoyed next to the favor of God and the smile of heaven. They lived a most peaceful, pure and happy life. Their affection was mutual. Mr. Webster, whose sensibilities were uncommonly strong, and whose tenderness was equally sensitive and delicate, as has been seen in his feelings towards his mother, his father and his brother, gave to her his whole being, and joyed in her as the better essence and expression of his own higher life. She was not destined, however, to go with him to the end of his great career. She did not live, indeed, to see him at the acme of his greatness. That favor, which would have been to her as a second life, was not given to her. In the year 1827, while accompanying her husband to Washington, she was taken sud denly ill in the city of New York, and was cut down in the bloom and beauty of her ripe womanhood. She had lived with

her illustrious partner for nearly twenty years; she had seen the coming shadow of his great fame; she had read some of his greatest efforts, his oration at Plymouth, at Bunker Hill, and in Fanueil Hall over the memories of Jefferson and Adams; she had gone with him till he had become, by universal consent, the first of her country's lawyers and orators; but she did not see him, by an acknowledgment so entirely unanimous, the first of living statesmen. That highest and last satisfaction she never had; and her husband never had his last and highest satisfaction of seeing her enjoy the full maturity of his reputation; nor did the world stop then, as it has never stopped since, to measure the mutual loss in this respect, or the far greater and deeper loss, of another character, suffered by the sorrowing survivor. His sufferings are described as being almost without a parallel. When he laid her in her low mansion, it is said that he clung to the spot, and would not, for a long time, be taken from it. While the tears ran down his face in streams, he was speechless, the only syllables he was heard to utter being a word or two of pathetic eulogy on the character of the loved and lost:

> "———— My true and honorable wife,
> As dear to me as are the ruddy drops
> That visit my sad heart!"

Never was a truer or more heart-felt eulogy spoken by the lips of spontaneous and unflattering grief. He felt every word of what he said; and every syllable, with all that each could be made to mean, was seen to have a growing meaning in it, as the mourner passed away from the grave, and mixed again in the world's great strife.

From that day, alas! the faithful historian is compelled to say, he was never entirely the same man he had been before. The bright star of his life had set. The soul that had attracted, guided, governed him, as a secret and unseen influence will often

give direction to bodies of the greatest magnitude, governed, guided, attracted him no more. Though, to the last hour of his existence, he continued to look back to her, as the cynosure of all that was brightest in his recollection and experience, whom he ever mentioned, with a voice tremulous with affection, as the "mother of his children," it is quite certain, that the world never appeared wholly inviting to him from the hour of their separation; and perhaps it is equally certain, though the fact is almost too mournful to be made historical, that everything in the great life of this remarkably great man, such as there is something of in every mortal's life, which would not stand the scrutiny of a death-bed, or pass the ordeal of heaven were God unfeeling and unforgiving, may be referred to this bereavement, and to the struggles of a broken heart to dispel or drown the memory of its grief.

Remaining single for about three years, Mr. Webster was married, in 1830, to Miss Caroline Le Roy, daughter of Herman Le Roy, of the city of New York, a lady of great personal attractions, of a superior mind and culture, who, in every way, was worthy of the greatest of Americans, and who now survives him. She lived to appreciate, to comfort, and to bless him.

Returning to the public life of the great statesman, it will be at once plain, that the favor bestowed upon him by President Jackson, unless Mr. Webster should choose to change his whole character and nature, could not be of long continuance. The ruling trait of the president was his resolution. His power of will was exceedingly great; but it was not greater, though less disciplined, than that of Mr. Webster. The president's will was always the work of impulse under the guidance of something like intuition. The will of Mr. Webster, in all its movements, was directed by deep study, extensive research, and the most careful deliberation. When his mind was once made up, however, there was no power on earth strong enough to bend

it. His principles, too, had been fixed for years; and, though he now chanced to take a part, which his patriotism compelled him to take, but which happened to be the part taken also by the president under a patriotism equally sincere, he had by no means given up the doctrines of his whole life, and adopted the political system of the administration. Nor was it possible, by any flattering attentions, or by any promises from any quarter, to cause him to swerve at all from the line of duty which he had marked out for himself as a statesman. Not only were his political opponents, with either threats or blandishments, always and entirely unable to move him from his purposes; but even his friends, his own party, so far as he ever had a party, were ever too weak in their influence over him to wield his mighty will, or cause him to falter for a moment in his independence.

This trait of his character was particularly manifest soon after the remarkable political events which have been last recorded. President Jackson had shown himself very friendly to Mr. Webster; but when, in consequence of the discord of the administration party, and the dissensions of the existing cabinet, Mr. Van Buren resigned the chair of secretary of state, and was nominated to the senate as minister to England, Mr. Webster had been foremost in that majority which rejected the nomination; and in the same year, 1832, he had advocated the passage of the bill introduced by Mr. Dallas, for the establishment of a United States Bank.

The views which governed him in respect to these two great measures are expressed with all plainness and clearness by himself. Speaking of the nomination of Mr. Van Buren, and defending himself from the suspicion of acting on party grounds, he comprehends the whole subject in a very small compass: "I am now fully aware, sir," says he, "that it is a very serious matter to vote against the confirmation of a minister to a foreign court, who has already gone abroad, and has been received and ac-

credited by the government to which he is sent. I am aware that the rejection of this nomination, and the necessary recall of the minister, will be regarded by foreign states, at the first blush, as not in the highest degree favorable to the character of our government. I know, moreover, to what injurious reflections one may subject himself, especially in times of party excitement, by giving a negative vote on such a nomination. But, after all, I am placed here to discharge a *duty*. I am not to go through a formality. I am to perform a substantial and responsible *duty*. I am to *advise* the president in matters of appointment. This is my constitutional obligation; and I shall perform it conscientiously and fearlessly. I am bound to say, then, sir, that, for one, I do not advise nor consent to this nomination. I do not think it a fit or proper nomination; and my reasons are found in the letter of instructions, written by Mr. Van Buren, on the 20th of July, 1829, to Mr. McLane, then going to the court of England as American minister. I think these instructions derogatory, in a high degree, to the character and honor of the country. I think they show a manifest disposition in the writer of them to establish a distinction between his country and his party; to place that party above his country; to make interest at a foreign court for that party rather than for the country; to persuade the English ministry, and the English monarch, that *they* have an interest in maintaining in the United States the ascendency of the party to which the writer belongs. Thinking thus of the purpose and object of these instructions, I cannot be of opinion that their author is a proper representative of the United States at that court. Therefore it is, that I propose to vote against his nomination. It is the first time, I believe, in modern diplomacy, it is certainly the first time in our history, in which a minister to a foreign court has sought to make favor for one party at home against another, or has stooped from being the representative of the whole country to be the representative of a party. And as

this is the first instance in our history of any such transaction, so I intend to do all in my power to make it the last. For one, I set my mark of disapprobation upon it; I contribute my voice and my vote to make it a negative example, to be shunned and avoided by all future ministers of the United States. If, in a deliberate and formal letter of instructions, admonitions and directions are given to a minister, and repeated, once and again, to urge these mere party considerations on the foreign government, to what extent is it probable the writer himself will be disposed to urge them, in his thousand opportunities of informal intercourse with the agents of that government?"

In his remarks on Mr. Dallas' bill for renewing the charter of the bank of the United States, delivered on the 25th of May, 1832, he took occasion not only to state his reasons for supporting the measure, but also to give a key to all his votes in relation to the general subject; and his *argumenta ad hominem*, directed against Mr. Calhoun, which constitute at the same time his own defense, may be regarded as one of the most ingenious and conclusive passages that ever issued from his lips: "A considerable portion of the active part of life has elapsed," says the orator, "since you and I, Mr. President"—Calhoun was president of the senate—"and three or four other gentlemen, now in the senate, acted our respective parts in the passage of the bill creating the present bank of the United States. We have lived to little purpose, as public men, if the experience of this period has not enlightened our judgments, and enabled us to revise our opinions, and to correct any errors into which we may have fallen, if such errors there were, either in regard to the general utility of a national bank, or the details of its constitution. I trust it will not be unbecoming the occasion, if I allude to your own important agency in the transaction. The bill incorporating the bank, and giving it a constitution, proceeded from a committee in the house of representatives, of which you were chairman, and was conducted through

the house under your distinguished lead. Having recently looked back to the proceedings of that day, I must be permit ted to say, that I have perused the speech by which the subject was introduced to the consideration of the house, with a revival of the feeling of approbation and pleasure with which I heard it; and I will add, that it would not, perhaps, now be easy to find a better brief synopsis than that speech contains, of those principles of currency and of banking, which, since they spring from the nature of money and commerce, must be essentially the same at all times, in all commercial communities. The other gentlemen now with us in the senate, all of them, I believe, concurred with the chairman of the committee, and voted for the bill. My own vote was against it. This is a matter of little importance; but it is connected with other circumstances, to which I will for a moment advert. The gentlemen with whom I acted on that occasion had no doubts of the constitutional power of congress to establish a national bank; nor had we any doubts of the general utility of an institution of that kind. We had, indeed, most of us, voted for a bank, at a preceding session. But the object of our regard was not whatever might be called *a bank*. We required that it should be established on certain principles, which alone we deemed safe and useful, made subject to certain fixed liabilities, and so guarded, that it could neither move voluntarily, nor be moved by others, out of its proper sphere of action. The bill, when first introduced, contained features to which we should never have assented, and we accordingly set ourselves to work, with a good deal of zeal, in order to effect sundry amendments. In some of these proposed amendments, the chairman, and those who acted with him, finally concurred. Others they opposed. The result was, that several most important amendments, as I thought, prevailed. But there still remained, in my opinion, objections to the bill, which justified a persevering opposition, till they should be removed."

The defense was certainly complete. The very bank, which the Jackson and Calhoun party were now doing their utmost to destroy, was their own offspring, the child of their own importunity. They now maintained that any national bank would be unconstitutional; but Mr. Calhoun, in the speech here praised by Mr. Webster, had defended the constitutionality of national banks with all his eloquence and logic. Neither Mr. Calhoun, nor the Jackson party, was in a position to be very grateful for the reminiscences or the eulogiums of Mr. Webster.

The truth is, however, that the president had really entertained the dream of making something like a convert of Mr. Webster. He had never failed to treat him with the highest consideration. His attentions to him personally had been marked as decidedly more than civil. His consciousness of great power in molding other minds to his; his great success in this work during all his life; and his knowledge of the fact, that Mr. Webster had never been a violent partisan, had furnished him with some faint hopes. But he scarcely comprehended his undertaking. He did not see, that Mr. Webster's feebleness of attachment to party organizations arose from a consciousness of personal power not to be overmatched by that of General Jackson. He did not see, that the very weakness, socially considered, was only a phase of an unconquerable independence, or self-dependence, of character, which not even the military president could bend. The discussion of the bank bill of Mr. Dallas, however, had not discouraged General Jackson. It had passed both houses of congress by strong majorities only to meet the presidential veto; and Mr. Webster had taken up that veto, item by item, showing its fallacies, its inconsistencies, its shallowness of argument, with a masterly and unsparing hand; but the president did not see, in all this, that there was no possibility of winning over a man, who, though he had differed from himself at different times, thereby gave no proof of levity, but only that he dared to differ from any

one, from his party, from his own past opinions, if need be, in support of his most deliberate and mature judgment.

The mistake, however, was not that of General Jackson only, but of many of his party, and of not a few of those, who had acted with Mr. Webster. Some of the less-informed newspapers of that day, on both sides, occasionally threw out significant hints upon the subject; and there seemed to be a sort of doubt growing up, among men ignorant of his true character, as to his future position as a politician. Never was a doubt more shallow, or more ungenerous. All the time, in all his course, Mr. Webster had been as true as the star to his principles and to himself; and, though he was observant of every pulsation of the people in relation to the matter, he was in no hurry to take notice of it.

During the recess of congress, in the summer of 1833, he had occasion to go west as far as the state of Ohio; and while stopping a few days at Pittsburg, on his return homeward, he made an address to a large gathering of his fellow-citizens, at their urgent solicitation, in the course of which he dropped a few explanatory words not to be mistaken by those prepared to understand him: "It is but a few short months," he says, "since dark and portentous clouds *did* hang over our heavens, and *did* shut out, as it were, the sun in his glory. A new and perilous crisis was upon us. Dangers, novel in their character, and fearful in their aspect, menaced both the peace of the country and the integrity of the constitution. For forty years our government had gone on, I need hardly say prosperously and gloriously, meeting, it is true, with occasional dissatisfaction, and, in one or two instances, with ill-concerted resistance to law. Through all these trials it had successfully passed. But now a time had come when authority of law was opposed by authority of law, when the power of the general government was resisted by the arms of state government, and when organized military force, under all the sanctions of state conventions and

state laws, was ready to resist the collection of the public revenues, and hurl defiance at the statutes of congress.

"Gentlemen, this was an alarming moment. In common with all good citizens, I felt it to be such. A general anxiety pervaded the breasts of all who were, at home, partaking in the prosperity, honor, and happiness which the country had enjoyed. And how was it abroad? Why, gentlemen, every intelligent friend of human liberty, throughout the world, looked with amazement at the spectacle which we exhibited. In a day of unparalleled prosperity, after a half century's most happy experience of the blessings of our Union; when we had already become the wonder of all the liberal part of the world, and the envy of the illiberal; when the constitution had so amply falsified the predictions of its enemies, and more than fulfilled all the hopes of its friends; in a time of peace, with an overflowing treasury; when both the population and the improvement of the country had outrun the most sanguine anticipations—it was at this moment that we showed ourselves, to the whole civilized world, as being apparently on the eve of disunion and anarchy, at the very point of dissolving, once and forever, that union which had made us so prosperous and so great. It was at this moment that those appeared among us, who seemed ready to break up the national constitution, and to scatter the twenty-four states into twenty-four unconnected communities.

"Gentlemen, the president of the United States was, as it seemed to me, at this eventful crisis, true to his duty. He comprehended and understood the case, and met it as it was proper to meet it. While I am as willing as others to admit that the president has, on other occasions, rendered important services to the country, and especially on that occasion which has given him so much military renown, I yet think the ability and decision with which he rejected the disorganizing doctrines of nullification, create a claim, than which he has none higher,

to the gratitude of the country and the respect of posterity. The appearance of the proclamation of the 10th of December inspired me, I confess, with new hopes for the duration of the republic. I regarded it as just, patriotic, able, and imperiously demanded by the condition of the country. I would not be understood to speak of particular clauses and phrases in the proclamation; but I regard its great and leading doctrines as the true and only true doctrines of the constitution. They constitute the sole ground on which dismemberment can be resisted. Nothing else, in my opinion, can hold us together. While these opinions are maintained, the Union will last; when they shall be generally rejected and abandoned, that Union will be at the mercy of a temporary majority in any one of the states.

"I speak, gentlemen, on this subject, without reserve. I have not intended heretofore, and elsewhere, and do not now intend, here, to stint my commendation of the conduct of the president in regard to the proclamation and the subsequent measures. I have differed with the president, as all know, who know anything of so humble an individual as myself, on many questions of great general interest and importance. I differ with him in respect to the constitutional power of internal improvements; I differ with him in respect to the rechartering of the bank; and I dissent, especially, from the grounds and reasons on which he refused his assent to the bill passed by congress for that purpose. I differ with him also, probably, in the degree of protection which ought to be afforded to our agriculture and manufactures, and in the manner in which it may be proper to dispose of the public lands. But all these differences afforded, in my judgment, not the slightest reason for opposing him in a measure of paramount importance, and at a moment of great public exigency. I sought to take counsel of nothing but patriotism, to feel no impulse but that of duty, and to yield not a lame and hesitating, but a vigorous and cordial, support to measures, which, in my conscience, I believed essen-

tial to the preservation of the constitution. It is true, doubtless, that if myself and others had surrendered ourselves to a spirit of opposition, we might have embarrassed, and probably defeated the measures of the administration. But in so doing, we should, in my opinion, have been false to our own characters, false to our duty, and false to our country. It gives me the highest satisfaction to know, that, in regard to this subject, the general voice of the country does not disapprove my conduct."

It is true in history, as it is in common life, that a man of note is apt to receive his greatest measure of reproach in the midst of his greatest triumphs, as if Providence intended that the one should so counterbalance the other as to keep him from vanity, while the common individual, who does nothing to merit fame, does as little to provoke opposition, and so passes along through his existence easily and smoothly. This general truth was exemplified, in another respect, in the history of Mr. Webster. Besides being accused, even by his friends, of having leaned too much to the support of General Jackson, he was also denounced, at this time, as a consolidationist, who wished that the general government should swallow up the powers of the states. The shallowness and wickedness of this charge he laid open in the address at Pittsburgh: "I am quite aware, gentlemen, that it is easy for those who oppose measures deemed necessary for the execution of the laws, to raise the cry of *consolidation*. It is easy to make charges and bring general accusations. It is easy to call names. For one, I repel all such imputations. I am no *consolidationist*. I disclaim the character altogether, and, instead of repeating this general and vague charge, I will be obliged to any one to show how the proclamation, or the late law of congress, or, indeed, any measure to which I ever gave my support, tends, in the slightestest degree, to consolidation. By consolidation is understood a grasping at power, on behalf of the general

government, not constitutionally conferred. But the proclamation asserted no new power. It only asserted the right in the government, to carry into effect, in the form of law, power which it had exercised for forty years. I should oppose any grasping at new powers by congress, as zealously as the most zealous. I wish to preserve the constitution as it is, without addition, and without diminution, by one jot or tittle. For the same reason that I would not grasp at powers not given, I would not surrender, nor abandon, powers which are given. Those who have placed me in a public station, placed me there, not to alter the constitution, but to administer it. The power of change the people have retained to themselves. *They* can alter, they can modify, they can change the constitution entirely, if they see fit. *They* can tread it under foot, and make another, or make no other; but while it remains unaltered by the authority of the people, it is our power of attorney, our letter of credit, our credentials; and we are to follow it, and obey its injunctions, and maintain its just powers, to the best of our abilities. I repeat that, for one, I seek to preserve to the constitution those precise powers with which the people have clothed it. While no encroachment is to be made on the reserved rights of the people, or of the states, while nothing is to be usurped, it is equally clear that we are not at liberty to surrender, either in fact or form, any power or principle which the constitution does actually contain. And what is the ground for this cry of consolidation? I maintain that the measures recommended by the president, and adopted by congress, were measures of self-defense. Is it consolidation to execute laws? Is it consolidation to resist the force that is threatening to upturn our government? Is it consolidation to protect officers, in the discharge of their duty, from courts and juries previously sworn to decide against them? Gentlemen, I take occasion to remark, that, after much reflection upon the subject, and after all that has been said about the encroach-

ment of the general government upon the rights of the states I know of no one power, exercised by the general government, which was not, when that instrument was adopted, admitted by the immediate friends and foes of the constitution to have been conferred upon it by the people. I know of no one power, now claimed or exercised, which every body did not agree, in 1789, was conferred on the general government. On the contrary, there are several powers, and those, too, among the most important for the interests of the people, which were then universally allowed to be conferred on congress by the constitution of the United States, and which are now ingeniously doubted, or clamorously denied."

It cannot be denied that the forcible suppression of nullification had chafed the people of more states south than those of South Carolina. Though no other state had proposed resistance, the tariff of 1828 was decidedly unpopular in most of the slave states. To save the honor of South Carolina, which, discouraged with the business of resistance, and yet far from yielding a voluntary obedience to the laws, wished for some pretext for a return to its fealty, Mr. Clay, a southern man by birth and education, but an American of the broadest sympathies at heart, proposed a reduction of the complicated tariff system of 1828, to a general level of twenty per cent. duties on all imports of every kind whatever. No one could complain of this proposal, that it was not simple enough; but, by rejecting all discrimination, it warred upon many interests of the country, while it over-fostered others, which needed and demanded no help from government. It was a mere blind way of collecting the revenue, without encouraging any national interest whatever, and without respect to the bearing of a tariff on the morals of the people. Spirituous liquors, cards, dice, and every evil thing, could come into the country as freely as books and bibles. The silks and satins of the rich were to pay no more duty than the best hemp in the

world, without which our shipping would suffer damage, or the expensive and delicate implements of mechanism, which had not been produced among us, and without which some branches of industry would be compelled to close their operations. We should be left with no power to favor the productions of a country, which favored us, nor to punish a nation which might take every opportunity to injure our domestic and foreign business. Such a tariff was particularly offensive to New England, and to the middle states, which depended for the success of their manufactures on some sort of discrimination. A dead-level tariff, they believed, would be their ruin; and so they looked to Mr. Webster, who did not care much to give South Carolina an opportunity of evading the embarrassment and dishonor of her position, before she had had time to realize and feel the force of it, to stand up in defense of the true manufacturing interests of his country. Mr. Webster did not disappoint this reliance. His efforts in opposition to Mr. Clay were among the most masterly speeches of the session.

While Mr. Webster was on a second visit of business to some of the middle states of the west, the president of the United States was making a sort of triumphal progress through New England, where he was overwhelmed with eulogies and honors from a people who felt grateful for his efforts in sustaining the Union and the constitution. No sooner, however, had he returned to Washington, than he began to open a war upon the bank of the United States, an institution universally respected by the very people whose hospitalities he had just enjoyed; and from the opening of congress to the close of his second term, now just begun, he carried on hostilities against the currency of the country, which terminated in the financial crash of the succeeding administration. His first step, the rashest he could have taken, was the removal of all the moneys of the government from the vaults of the general bank, and the depositing of them in certain state banks for safe keeping. That

is, merely because he had the power, without due notice, he demanded immediate payment to the government of the whole sum due it from the bank, that he might, if possible, bring about the failure of an institution, which, to that day, had not only always met its liabilities punctually, but frequently aided the government in its necessities. It was not only a rash but a most disastrous step. It was a step felt to the extremities of the country; for the general bank, on so sudden a demand, had no resource but to collect, with equal suddenness, all its demands on the smaller banks, which, in turn, were compelled to be equally abrupt and stringent with their own customers. In this way, the shock given by the president traveled down, from bank to bank, and from the smaller banks to the people, who at once felt the pressure through every ramification of society. Its severity fell mostly, as in every similar crisis, upon the poorer classes. When this comprehensive and sudden demand, which created all these multiplied minor demands, had reached at last the thresholds of the common trader, mechanic and manufacturer, most of them found it difficult, many of them impossible, to meet the unexpected call on so short a notice. General compliance was a thing not to be expected; while one failure, as in every business concatenation, when more money is demanded than had been provided for, multiplied itself continuously, till the whole country reached the brink of universal repudiation.

So reckless, impolitic and portentous had this step appeared to many of the personal and political friends of General Jackson, and to a portion of his cabinet, that, after the order had been given by the president for the removal of the deposits, two removals from the office of secretary of the treasury had to be effected, before the order could find a man sufficiently servile to give it execution: "The charter of the bank of the United States," says Mr. Webster, "provided that the public moneys should be deposited in the bank, subject to

removal by the secretary of the treasury, on grounds to be submitted to congress. In the session of 1832, congress had passed a resolution, by a very large majority, that the public deposits were safe in the custody of the bank of the United States. General Jackson, having applied his *veto* to the bill for renewing the charter of the bank, was determined, notwithstanding this expression of confidence, that the public deposits should be transferred to an association of selected state banks. The secretary of the treasury (Mr. M'Lane), having declined to order the transfer, was appointed secretary of state, in the expectation that his successor (Mr. Duane) would execute the president's will in that respect. On the 10th of September, 1833, an elaborate paper was read by General Jackson to the cabinet, announcing his reasons for the removal of the deposits, and appointing the 1st of October, as the day when it should take place. On the 21st of September, Mr. Duane made known to the president his intention not to order the removal. He was dismissed from office and Mr. Taney, the present chief justice, appointed in his place, by whom the requisite order for the removal of the public moneys to the state banks, was immediately given."

The battle of the bank was now fairly opened; and the president soon had sufficient occasion to learn whether Mr. Webster was a man to be bought up by the smiles of patronizing power. From the first, Mr. Webster set his face against this piece of political injustice, and was the acknowledged champion of the established policy and practice of the government. At the beginning of the struggle, he bore decided testimony in relation to the extent of the disaster which the new policy had even then produced: "I agree with those," he said, "who think that there is a severe pressure in the money market, and very serious embarrassment felt in all branches of the national industry. I think this is not local, but general; general, at least, over every part of the country where the cause has yet

begun to operate, and sure to become, not only general, but universal, as the operation of the cause shall spread. If evidence be wanted, in addition to all that is told us by those who know, the high rate of interest, now at twelve per cent., or higher, where it was hardly six last September, the depression of all stocks, some ten, some twenty, some thirty per cent., and the low prices of commodities, are proofs abundantly sufficient to show the existence of the pressure. But, sir, labor, that most extensive of all interests, American manual labor, feels, or will feel, the shock more sensibly, far more sensibly, than capital, or property of any kind. Public works have stopped, or must stop; great private undertakings, employing many hands, have ceased, and others must cease. A great lowering of the rates of wages, as well as a depreciation of property, is the inevitable consequence of causes now in full operation." Next, he went on to show, that, in this war waged by the executive against the fiscal agent of the government, there was no recourse but to congress, which was bound to interfere, and maintain the currency and credit of the country.

As a foundation for his first speech on the removal of the deposits, Mr. Webster had read a series of resolutions passed by a meeting of Boston merchants and mechanics. On the 30th day of January, Mr. Wright, of New York, also read to the senate several resolutions passed by the legislature of New York, approving the removal of the deposits, and disapproving of any bank of the United States. In the course of the speech supporting these resolutions, Mr. Wright distinctly announced that he was opposed to the rechartering of the bank, and to the creation of any other; that the bank had grossly violated its charter; that, however, he had deeper and graver reasons for his opposition; that the distress of the community, in financial matters, was the fault of the bank, and not of the removal of the deposits; that he would sustain the president, by every means in his power, in his effort to substitute the agency of

the state banks for the bank of the United States, as the fiscal agent of the government.

In reply to these resolutions, and to the remarks of Mr. Wright, Mr. Webster delivered his second speech, near the opening of which he presents a fine picture of the senate in its debates on the subject, and gives an account of public opinion upon it at that time: "But the gentleman has discovered, or he thinks he has discovered, motives for the complaints which arise on all sides. It is all but an attempt to bring the administration into disfavor. This alone is the reason why the removal of the deposits is so strongly censured! Sir, the gentleman is mistaken. He does not, at least I think he does not, rightly understand the signs of the times. The cause of the complaint is much deeper and stronger than any mere desire to produce political effect. The gentleman must be aware, that, notwithstanding the great vote by which the New York resolutions were carried, and the support given by other proceedings to the removal of the deposits, there are many as ardent friends of the president as are to be found anywhere, who exceedingly regret and deplore the measure. Sir, on this floor there has been going on for many weeks as interesting a debate as has been witnessed for twenty years; and yet I have not heard, among all who have supported the administration, a single senator say that he approved the removal of the deposits, or was glad it had taken place, until the gentleman from New York spoke. I saw the gentleman from Georgia approach that point; but he shunned direct contact. He complained much of the bank; he insisted, too, on the power of removal; but I did not hear him say he thought it a wise act. The gentleman from Virginia, not now in his seat, also defended the power, and has arraigned the bank; but has he said that he approved the measure of removal? I have not met with twenty individuals, in or out of congress, who have expressed an approval of it, among the many hundreds whose

opinions I have heard—not twenty, who have maintained that it was a wise proceeding; but I have heard individuals of ample fortune, although they wholly disapproved the measure, declare, nevertheless, that, since it was adopted, they would sacrifice all they possessed rather than not support it. Such is the warmth of party zeal!" The object of this speech was to show the necessity of a national bank for the safe keeping of the public moneys; the necessity of restoring the deposits to the national bank; and the disasters which would follow a persistence in the course of opposition now set down as the established policy of the administration.

Mr. Tallmadge, of New York, replied to Mr. Webster, denying, in the most emphatic manner, the constitutionality of the bank of the United States, but maintaining the right of the secretary of the treasury to use the state banks as the fiscal agent of the government; and Mr. Webster, at the opening of the session of the next day, spoke briefly in answer to both of the New York senators. He argued that the power to *use* a bank, granted by Mr. Tallmadge, implied the power to create one; that, if one act was constitutional, the other must be also; and that the constitutional power of congress was no longer a debatable question, as it had been debated and determined too frequently to need any farther argument: "I do not intend now, Mr. President," he says, "to go into a regular and formal argument to prove the constitutional power of congress to establish a national bank. That question has been argued a hundred times, and always settled the same way. The whole history of the country, for almost forty years, proves that such a power has been believed to exist. All previous congresses, or nearly all, have admitted or sanctioned it; the judicial tribunals, federal and state, have sanctioned it. The supreme court of the United States has declared the constitutionality of the present bank, after the most solemn argument, without a dissenting voice on the bench. Every successive

president has, tacitly or expressly, admitted the power. The present president has done this; he has informed congress that he could furnish the plan of a bank, which should conform to the constitution. In objecting to the recharter of the present bank, he objected for particular reasons; and he has said that a bank of the United States would be useful and convenient for the people." Though disclaiming all intention of arguing the subject, it would not be easy, so far as authority goes, to construct a more perfect argument; and there are passages in this speech of such power of logic and force of expression as Mr. Webster himself seldom surpassed.

The great struggle, however, was not closed. On the 21st day of February, Mr. Forsyth, of Georgia, read to the senate a memorial from Maine, and accompanied the reading with a speech, in which he declared that the plan of the administration was, to return to an exclusive specie currency, first, by employing the state banks instead of the general bank, and secondly, by dispensing at last with the state banks themselves. Mr. Webster replied to Mr. Forsyth in a strain of invective, sarcasm, ridicule and argument, sound and irresistible argument, enough to overwhelm a much abler antagonist; but Mr. Forsyth stood up and attempted a reply. This again called out Mr. Webster. On Friday, March the 7th, in presenting a memorial from the building mechanics of the city and county of Philadelphia; on Tuesday, March 18th, on presenting another memorial from citizens of Boston; on Friday, March 28th, on offering another from citizens of Albany; and on Tuesday, April 25th, on reading a fourth from three thousand citizens of Ontario county, New York, he spoke briefly, in explanation of his own views and of the outraged feelings of the whole country. He spoke again on the 20th of May, on presenting to the senate a memorial from the citizens of Columbia, Lancaster county, Pennsylvania, and again on the 3d of June, on the reading, by Mr. McKean, of the memorial of the Penn-

sylvania state convention; but the longest and ablest of all his productions, at this time, on the subject of the currency, was his report from the committee on finance, of which he was chairman, read on the 5th of February of this year. It is a document worthy of the frequent perusal of every statesman; and we have no statesman who would not enlighten himself by pondering deeply on the positions and arguments so carefully drawn up and forcibly expressed.

His next effort in relation to the currency, which, during the second term of General Jackson's administration, was the absorbing topic in the senate, and in the house, was his speech, delivered on the 18th of March, on the presentation of his own bill for continuing the charter of the United States bank for six years after the expiration of its existing charter; and this was followed, on the 7th of May, by a speech in reply to the president, who had sent to the senate, on the 15th of April, a violent and somewhat angry protest against the proceedings of the senate in reference to the removal of the deposits. This latter speech was regarded, at the time of its delivery, by the best judges, as the ablest that Mr. Webster had ever made since his reply to Hayne. "You never," said Chancellor Kent, in a letter of approbation to the orator,—"you never equaled this effort. It surpasses everything in logic, in simplicity, and beauty, and energy of diction, in clearness, in rebuke, in sarcasm, in patriotic and glowing feeling, in just and profound constitutional views, in critical severity, and matchless strength. It is worth millions to our liberties." And Governor Tazewell, in a letter to Mr. Tyler, employs equally emphatic language: "Tell Webster from me," he says, "that I have read his speech in the National Intelligencer with more pleasure than any I have lately seen. If the approbation of one, who has not been used to coincide with him in opinion, can be grateful to him, he has mine *in extenso*. I agree with him perfectly, and thank him cordially for his many excellent illustrations of what I al-

ways thought. If it is published in a pamphlet form, beg him to send me one. I will have it bound in good Russia leather, and leave it as a special legacy to my children." The first raptures of admiration may have done injustice to other speeches of Mr. Webster; but it cannot be doubted that this is one of the master-pieces of that great statesman. As in his reply to Hayne, he was thoroughly roused. The interference of the president with the clear prerogatives of the senate was so glaring a breach of privilege, that it stirred his indignation to the bottom; and he spoke with an earnestness, a sincerity, a singleness and power of purpose, whose meaning could not be mistaken. Not only was the whole speech remarkably able, but there are passages in it, which even he never equaled. Guarding himself, near the beginning of his speech, against the objection, that there was no occasion for so much feeling, that it was only the assertion of a principle, not any overt act, on the part of the president, which had given occasion to the debate, he strikes out into one of his boldest strains of rhetoric, and closes with a figure, which, probably, has no superior in the English language: "The senate regarded this interposition," said the orator, "as an encroachment by the executive on other branches of the government; as an interference with the legislative disposition of the public treasure. It was strongly and forcibly urged, yesterday, by the honorable member from South Carolina, that the true and only mode of preserving any balance of power, in mixed governments, is to keep an exact balance. This is very true; and to this end encroachment must be resisted at the first step. The question is, therefore, whether, upon the true principles of the constitution, this exercise of power by the president can be justified. Whether the consequences be prejudicial or not, if there be an illegal exercise of power, it is to be resisted in the proper manner. Even if no harm or inconvenience result from transgressing the boundary, the intrusion is not to be suffered to pass unnoticed.

Every encroachment, great or small, is important enough to awaken the attention of those, who are intrusted with the preservation of a constitutional government. We are not to wait till great public mischiefs come, till the government is overthrown, or liberty itself put into extreme jeopardy. We should not be worthy sons of our fathers were we so to regard great questions affecting the general freedom. Those fathers accomplished the revolution on a strict question of principle. The parliament of Great Britain asserted a right to tax the colonies in all cases whatsoever; and it was precisely on this question that they made the revolution turn. The amount of taxation was trifling, but the claim itself was inconsistent with liberty; and that was, in their eyes, enough. It was against the recital of an act of parliament, rather than against any suffering under its enactments, that they took up arms. They went to war against a preamble. They fought seven years against a declaration. They poured out their treasures and their blood like water, in a contest against an assertion, which those less sagacious and not so well schooled in the principles of civil liberty would have regarded as barren phraseology, or mere parade of words. They saw in the claim of the British parliament a seminal principle of mischief, the germ of unjust power; they detected it, dragged it forth from underneath its plausible disguises, struck at it; nor did it elude either their steady eye or their well-directed blow till they had extirpated and destroyed it, to the smallest fibre. On this question of principle, while actual suffering was yet afar off, they raised their flag against a power, to which, for purposes of foreign conquest and subjugation, Rome, in the height of her glory, is not to be compared; a power which has dotted over the surface of the whole globe with her possessions and military posts, whose morning drum-beat, following the sun, and keeping company with the hours, circles the earth with one continuous and unbroken strain of the martial airs of England."

The administration of General Jackson was now rapidly coming to a close. The great battle of the currency was now fought. The results of the financial policy of the administration were now universally felt and acknowledged to be evil and only evil. The country stood on the borders of universal bankruptcy. The general election was approaching, when Jackson's successor was to be chosen; and, in the twenty-fourth congress, while the country was preparing for the presidential campaign, there was but little left for Mr. Webster. He had done his duty. He had done it nobly and in a most masterly manner. He now felt that he could leave the result of his own labors with the people; though he undoubtedly believed that Jackson's successor would be the man whom the president had adopted for this high honor. Three facts, in spite of all the gigantic efforts of Mr. Webster, and of those who acted with him, were enough to give the election to Mr. Van Buren. In the first place, he carried with him the marked and special approbation of the retiring president, who, notwithstanding the disastrous nature and results of his experiments as a civilian, was all the more popular with the vociferous and headlong, all over the country, of his party. In the second place, the people had been made to believe, to a remarkable extent, that the now general and acknowledged distress of the country was owing, not to the blunders and recklessness of the executive, but to the efforts of the expiring bank of the United States, which wished to throw discredit, by way of revenge, upon the president for his opposition to the renewal of its charter. Lastly, the rejection of Mr. Van Buren, as minister to England, when he was already there, was regarded as political persecution of a most extraordinary character; and not only the party, but thousands of moderate men who vote according to their current views at the time of an election, looked upon Mr. Van Buren as a sort of martyr. Mr. Van Buren, therefore, was chosen to succeeed General Jackson.

During the remainder of General Jackson's term, however, Mr. Webster continued to be the leader of the opposition in the senate, though Mr. Clay must be confessed as equally popular, and perhaps equally deserving, before the country. There was no longer any occasion for great efforts on the subject of the currency. Some other topics, not without their interest, claimed the attention of Mr. Webster. On the 12th of January, 1835, he delivered an elaborate speech on the bill granting indemnity to citizens of the United States for French spoliations on American commerce prior to 1800; but his views on that subject had been long before the public, and, consequently, the speech now made did not particularly affect his reputation. On the 16th of February, of the same year, he delivered another speech of more general popularity. It was in regard to the appointing and removing power exercised jointly by the president and senate. The administration had set up some strange pretensions to prerogative unknown to the constitution, and unknown to the previous practice of the government. A bill was brought into the senate, entitled "an act to repeal the first and second sections of the act to limit the term of service of certain officers therein named," the express object of which was to secure the reduction of executive patronage and influence. This was a topic that touched Mr. Webster's heart. He had seen so many encroachments of late, on the powers of the senate, and on the powers of congress, that he felt like doing something to render the evil less possible in time to come. His speech on the subject was very able; and it did not a little toward giving the last blow to a falling administration, and preparing the public for that remarkable revolution that succeeded.

But the greatest and heaviest blow ever given to the administration of General Jackson, by one of its opponents, was the speech of Mr. Webster to the merchants of New York, delivered in Niblo's Saloon, on the 15th of March, 1837, eleven days after the accession of Mr. Van Buren. The blow was

struck, not because that administration itself was any longer of any consequence to the public, but because it had been adopted, formally and in words, by Mr. Van Buren as the model of his own administration. It was, therefore, only another engagement in the memorable war between the government and the currency; and it certainly, in any point of light in which it can be viewed, was a victory. It is one of the soundest, ablest, and most eloquent of all the great statesman's speeches. It was a review of the entire course of General Jackson as president of the republic. Though searching and caustic, it was temperate in style, moderate in spirit, even charitable to the infirmities of human nature, but inexpressibly severe in the matter and manner of its logic. It is the best history of General Jackson's administration now in print; for, while the art of the orator is always to be suspected, it narrates and states facts with the precision and candor of a historian.

The first official act of Mr. Van Buren was to call an extra session of congress to take into consideration the financial embarrassments of the country. This was an open confession of what the administration of General Jackson had continually and strenuously denied. It was a confession that the country, the whole country, not any particular part or parts of it, was in a state of pecuniary suffering. It was a confession, too, of great political value to the party of the opposition, who did not fail to point the country to the state of prosperity almost unexampled in the history of the republic, which immediately preceded General Jackson's war upon the currency. It was a confession, however, which Mr. Van Buren, in the exercise of that peculiar sagacity which characterizes him, did not hesitate to make, because, should his term of office close unhappily, he could the more readily refer his failure to the disastrous circumstances under which it commenced. Should his administration, on the other hand, prove successful, it would be easy

for him, and for his partisans, to claim the more credit to his statesmanship, by as much as the end of his term should exceed in prosperity its beginning.

The extra session met in the month of September, 1837; and it was here that congress first grappled with the sub-treasury scheme, which was brought forward by Mr. Van Buren as a means of saving the country from the financial embarrassments brought upon it by the blunders and obstinacy of the preceding administration. Those embarrassments had now become insupportable. In the month of May previous, nearly all the banks in the country had simultaneously suspended specie payments. The banks of deposit, in which were lodged the funds of the United States treasury, were among the very first to join in this act of suspension; and this at once involved the government in the difficulty. It had been customary for the government to meet its daily wants by issuing drafts upon the banks of deposit, which, heretofore, had met these drafts, either by paying out their own bills, or in gold and silver. Now, however, the holder of a draft drawn by the secretary of the treasury of the government of the United States, which any one would suppose should be good for its own orders, could get nothing but the notes of certain state banks, which had refused to meet them on demand. That is, the government owed a debt to-day, and the only satisfaction it could give its creditor, was an order on a private corporation, which met the order only with a confession of inability of paying it to-day, but with a *promise* to pay it to-day (for bank notes are made payable on demand) when all parties understood the insincerity and comparative worthlessness of that promise. In other words, the government of the United States had become insolvent; and the question of course was, on the opening of the extra session of congress, how to restore the solvency and credit of the country.

This question was met, on the part of the administration,

first, by withholding from the states the fourth installment of the surplus revenue, and secondly, by the proposition of the sub-treasury scheme, which was a system of keeping and disbursing the funds of the general government, without the intervention of any bank or banks. Both these measures were opposed by Mr. Webster. He thought that the withholding of the surplus revenue from the states, according to the promise of the government, would rather increase than allay the panic now fallen upon the country; and to the sub-treasury system, he opposed a series of objections, in a speech delivered on the 28th of September, 1837, which reëxamined the entire subject of the currency from the beginning of the government. No better history of the currency is extant than that contained in the exordium of this great speech: "The government of the United States," says the orator, "completed the forth-eighth year of its existence, under its present constitution, on the third day of March last. During this whole period, it has felt itself bound to take proper care of the currency of the country; and no administration has admitted this obligation more clearly or more frequently than the last. For the fulfillment of this acknowledged duty, as well as to accomplish other useful purposes, a national bank has been maintained for forty out of these forty-eight years. Two institutions of this kind have been created by law; one commencing in 1791, and being limited to twenty years, expiring in 1811; the other commencing in 1816, with a like term of duration, and ending, therefore, in 1836. Both these institutions, each in its time, accomplished their purposes, so far as the currency was concerned, to the general satisfaction of the country Before the last bank expired, it had the misfortune to incur the enmity of the late administration. I need not, at present, speak of the causes of this hostility. My purpose only requires a statement of that fact, as an important one in the chain of occurrences. The late president's dissatisfaction with the bank was intimated in his

first annual message, that is to say, in 1829. But the bank stood very well with the country, the president's known and growing hostility notwithstanding, and in 1832, four years before its charter was to expire, both houses of congress passed a bill for its continuance, there being in its favor a large majority of the senate, and a larger majority of the house of representatives. The bill, however, was negatived by the president. In 1833, by an order of the president, the public moneys were removed from the custody of the bank, and were deposited with certain select state banks. This removal was accompanied with the most confident declarations and assurances, put forth in every form, by the president and the secretary of the treasury, that these state banks would not only prove safe depositories of the public money, but that they would also furnish the country with as good a currency as it ever had enjoyed, and probably a better; and would also accomplish all that could be wished in regard to domestic exchanges. The substitution of state banks for a national institution, for the discharge of these duties, was that operation which has become known, and is likely to be long remembered, as the 'Experiment.'

"For some years, all was said to go on extremely well, although it seemed plain enough to a great part of community, that the system was radically vicious; that its operations were all inconvenient, clumsy, and wholly inadequate to the proposed ends; and that, sooner or later, there must be an explosion. The administration, however, adhered to its experiment. The more it was complained of by the people, the louder it was praised by the administration. Its commendation was one of the standing topics of all official communications; and in his last message, in December, 1836, the late president was more than usually emphatic upon the great success of his attempts to improve the currency, and the happy results of the experiment upon the important business of exchange.

"But a reverse was at hand. The ripening glories of the experiment were soon to meet a dreadful blighting. In the early part of May last, these banks all stopped payment. This event, of course, produced great distress in the country, and it produced also singular embarrassment to the administration. The present administration was then only two months old; but it had already become formally pledged to maintain the policy of that which had gone before it. The president had avowed his purpose of treading in the footsteps of his predecessor. Here, then, was the difficulty. Here was a political knot, to be either untied or cut. The experiment had failed, and failed, as it was thought, so utterly and hopelessly, that it could not be tried again.

"What, then, was to be done? Committed against a bank of the United States in the strongest manner, and the substitute, from which so much was expected, having disappointed all hopes, what was the administration to do? Two distinct classes of duties had been performed, in times past, by the bank of the United States; one more immediately to the government, the other to the community. The first was the safe-keeping and the transfer, when required, of the public moneys; the other, the supplying of a sound and convenient paper currency, of equal credit all over the country, and everywhere equivalent to specie, and the giving of most important facilities to the operations of exchange. These objects were highly important, and their perfect accomplishment by the 'experiment' had been promised from the first. The state banks, it was declared, could perform all these duties, and should perform them. But the 'experiment' came to a dishonored end in the early part of last May. The deposit banks, with the others, stopped payment. They could not render back the deposits; and so far from being able to furnish a general currency, or to assist exchanges, (purposes, indeed, which they never had fulfilled with any success,) their paper became immediately depreciated, even

in its local circulation. What course, then, was the administration now to adopt? Why, sir, it is plain that it had but one alternative. It must either return to the former practice of the government, take the currency into its own hands, and maintain it, as well as provide for the safe keeping of the public money by some institution of its own; or else, adopting some new mode of merely keeping the public money, it must abandon all further care over currency and exchange. One of these courses became inevitable. The administration had no other choice. The state banks could be no longer tried, with the opinion which the administration now entertained of them; and how else could anything be done to maintain the currency? In no way, but by the establishment of a national institution.

"There was no escape from this dilemma. One course was, to go back to that which the party had so much condemned; the other, to give up the whole duty, and leave the currency to its fate. Between these two, the administration found itself absolutely obliged to decide; and it has decided, and decided boldly. It has decided to surrender the duty, and abandon the constitution. That decision is before us, in the message, and in the measures now under consideration. The choice has been made; and that choice, in my opinion, raises a question of the utmost importance to the people of this country, both for the present and all future time. That question is, *Whether congress has, or ought to have, any duty to perform, in relation to the currency of the country, beyond the mere regulation of the gold and silver.*"

This speech of Mr. Webster was not only very able; but it produced a profound impression on the senate, and on the country. He maintained, in opposition to the message of the president, that it was incumbent on congress, besides keeping and disbursing the public money, to provide for a sound and safe currency for the people; and such was the weight of his

several arguments and illustrations, in support of his proposition, that the recommendation of the president failed to become a law. The first step, therefore, of the new administration was a failure.

One of the first topics that engaged the attention of Mr. Webster, at the regular session of congress of 1837–8, was that of slavery in the District of Columbia. On the 27th of December, 1837, a number of resolutions were read to the senate by Mr. Calhoun on this subject, the fifth of which was expressed in the following language: "Resolved, That the intermeddling of any state, or states, or their citizens, to abolish slavery in this district, or any of the territories, on the ground, or under the pretext, that it is immoral or sinful, or the passage of any act or measure of congress with that view, would be a direct and dangerous attack on the institutions of all the slaveholding states." The resolutions had been quite generally discussed, when, on the 10th of January, 1838, Mr. Clay offered a substitute for Mr. Calhoun's fifth resolution, which was couched in the following terms: "Resolved, That the interference, by the citizens of any of the states, with the view to the abolition of slavery in this district, is endangering the rights and security of the people of this district; and that any act or measure of congress, designed to abolish slavery in this district, would be a violation of the faith implied in the cessions by the states of Virginia and Maryland, a just cause of alarm to the people of the slaveholding states, and have a direct and inevitable tendency to disturb and endanger the Union." Mr. Clay supported his substitute by a speech, which was followed by a brief one from Mr. Webster. He had before, on the 16th of March, 1836, on presenting several petitions praying for the abolition of the domestic slave-trade within the district, expressed his views in relation to the power of congress over slavery in the District of Columbia in a very plain and emphatic manner: "I have often," he then said,

"expressed the opinion, that over slavery, as it exists in the states, this government has no control whatever. It is entirely and exclusively a state concern. And while it is clear that congress has no direct power over the subject, it is our duty to take care that the authority of this government is not brought to bear upon it by any indirect interference whatever. It must be left to the states, to the course of things, and to those causes over which this government has no control. All this, in my opinion, is in the clear line of our duty. On the other hand, believing that congress has constitutional power over slavery, and the trade in slaves, within the district, I think petitions on those subjects, respectfully presented, ought to be respectfully received, and respectfully considered."

These had always been Mr. Webster's opinions on the subject. They had been the opinions of the country and of the government. So early as 1809, on the 9th of January, the house of representatives had resolved, "that the committee on the District of Columbia be instructed to take into consideration the laws within the district in respect to slavery; that they inquire into the slave-trade as it exists in, and is carried on through, the district; and that they report to the house such amendments to the existing laws as shall seem to them to be just." The same body, at the same time, resolved, "that the committee be further instructed to inquire into the expediency of providing by law for the gradual abolition of slavery within the district, in such manner that the interest of no individual shall be injured thereby." In the month of March, 1816, the subject had been again introduced by Mr. Randolph, of Virginia, when, at his motion, it was resolved, "that a committee be appointed to inquire into the existence of an inhuman and illegal traffic in slaves carried on in and through the District of Columbia, and to report whether any, and what, measures are necessary for putting a stop to the same."

The steps thus early taken, which had so clearly recognized

the power of congress over slvavery in the district, were well known to Mr. Webster; and on these, as well as on the grants of cession by which the territory was given to the United States, he based an argument in favor of the constitutional power of congress over this subject, and which has never been and never can be answered. In return for his efforts in the cause of freedom, he was taunted by Mr. King, of Alabama, with having made himself the head of the abolition party; but this did not daunt Mr. Webster, or turn him from his integrity, or his purpose. He went directly forward, defended the rights of the petitioners, maintained the exclusive power of congress to legislate on all subjects touching the District of Columbia, slavery as well as others, and spurned the sneers of southern senators; and he thus continued to maintain his ground, till the subject was again brought forward by Mr. Calhoun, and modified by Mr. Clay, at the time now under consideration. His opinion, as held at this time, is best conveyed in his own language. "I cannot concur," he says, speaking of Mr. Clay's substitute, "in this resolution. I do not know any matter of fact, or any ground of argument, on which this affirmation of plighted faith can be sustained. I see nothing by which congress has tied up its hands, either directly or indirectly, so as to put its clear constitutional power beyond the exercise of its own discretion. I have carefully examined the acts of cession by the states, the act of congress, the proceedings and history of the times, and I find nothing to lead me to doubt that it was the intention of all parties to leave this, like other subjects belonging to legislation for the ceded territory, entirely to the discretion and wisdom of congress." He goes on to establish this opinion by a most conclusive argument, and then brings the opposite view into disfavor by successfully applying to it the *reductio ad absurdum:* "If the assertion contained in this resolution be true," he says, "a very strange result, as it seems to me, must follow. The resolution affirms that the faith of congress is

pledged, indefinitely. It makes no limitation of time or circumstance. If this be so, then it is an obligation that binds us forever, as much as if it were one of the prohibitions of the constitution itself. And at all times hereafter, even if, in the course of their history, availing themselves of events, or changing their views of policy, the states themselves should make provision for the emancipation of their slaves, the existing state of things could not be changed, nevertheless, in this district. It does really seem to me, that, if this resolution, in its terms, be true, though slavery in every other part of the world be abolished, yet in the metropolis of this great republic it is established in perpetuity. This appears to me to be the result of the doctrine of plighted faith, as stated in the resolution."

Mr. Buchanan replied to Mr. Webster; and Mr. Webster rejoined, maintaining with still greater force of expression his original position; but it was not till he rose to reply to Mr. Clay, who, after Mr. Buchanan, had commented with some severity upon Mr. Webster, that the great orator gave completeness to his argument. Thus called out, there that argument now stands, the ablest ever delivered on the subject; and every man, who has since seen fit to misunderstand Mr. Webster, on the subject of slavery, is bound to read it, and ponder it well, before he allows himself to ascribe to Mr. Webster his position in relation to this question.

It would be impossible to follow out in detail all that Mr. Webster said and did, during the remainder of Mr. Van Buren's administration, on this and other important subjects. He was still chiefly engaged, as were the senate and the country, on topics connected with the currency. The administration of Mr. Van Buren, indeed, may be regarded in history as an unsuccessful attempt to relieve itself, and the country, of the financial evils brought upon it by the preceding administration; and in every effort made to better the condition of the national finances, Mr. Webster took, on behalf of the opposition, the

leading part. On the 17th of January, 1838, he spoke at some length on the affairs of the Commonwealth Bank of Massachusetts, one of the deposit banks, whose bills had become greatly depreciated; on the 28th of January, 1838, he addressed the senate in favor of the right of preëmption to actual settlers on the public lands; and on the 31st of January, 1838, he delivered his speech on the sub-treasury system, as a system, putting it to the severest test it had ever met with in eloquence or argument. But it was not till the 12th of March, 1838, that he made his most elaborate, celebrated, and able speech on this subject. It was undoubtedly the ablest ever made, upon the subject of the regulation of the currency, in or out of congress. It abounds with facts, illustrations, arguments, repartees, figures of speech of the most striking character, and everything, in matter and manner, in form and ornament, that could possibly be pressed into the service of his main object. That object was the defeat of the sub-treasury scheme, and a thorough exposition of the entire policy, in all its magnitude and mischief, of the current and preceding administrations. No person can obtain an adequate idea of the speech without a perusal of it; but there are passages in it, which, whether read in connection or separately, will never cease to be admired. As a specimen of the orator's powers of ridicule, when he wished to indulge in it, his laughable reference to the over-vaunted independence of General Jackson, will never fail to furnish to the literary world both instruction and amusement: "The present chief magistrate of the country," he says, "was a member of this body in 1828. He and the honorable member from Carolina were, at that time, exerting their united forces to the utmost, in order to bring about General Jackson's election. Did they work thus zealously together for the same ultimate end and purpose? Or did they mean merely to change the government, and then each to look out for himself? Mr. Van Buren voted for the tariff bill of that year, commonly

called the 'bill of abominations'; but, very luckily, and in extremely good season, *instructions* for that vote happened to come from Albany! The vote, therefore, could be given, and the member giving it could not possibly thereby give offense to any gentleman of the state-rights party, who acknowledge the duty of obeying instructions.

"Sir, I will not do gentlemen injustice. Those who belonged to tariff states, as they are called, and who supported General Jackson for the presidency, did not intend thereby to overthrow the protective policy. They only meant to make General Jackson president, and to come into power along with him. As to ultimate objects, each had his own. All could agree, however, in the first step. It was difficult, certainly, to give a plausible appearance to a political union among gentlemen who differed so widely on the great and leading question of the times, the question of the protective policy. But this difficulty was overcome by the oracular declaration that General Jackson was in favor of a '*judicious tariff!*' Here, sir, was ample room and verge enough. Who would object to a *judicious tariff?* Tariff men and anti-tariff men, state-rights men and consolidationists, those who had been called prodigals, and those who had been called radicals, all thronged and flocked together here, and, with all their difference in regard to ultimate objects, agreed to make common cause till they should get into power!

"The ghosts, sir, which are fabled to cross the Styx, whatever different hopes or purposes they may have beyond it, still unite in the present wish to get over, and therefore all hurry and huddle into the leaky and shattered craft of Charon, the ferryman. And this motley throng of politicians, sir, with as much difference of final object, and as little care for each other, made a boat of 'Judicious Tariff;' and all rushed and scrambled into it, until they filled it, near to sinking. The authority of the master was able, however, to keep them peaceable and

in order for the time, for they had the virtue of submission; and, though with occasional dangers of upsetting, he succeeded in pushing them all over with his long setting-pole:

Ipse ratem conto subigit!'"

In all of Mr. Webster's works, there is scarcely a more forcible illustration of his power of throwing contempt upon his antagonists; and, when all the facts of the case are remembered, and the passage carefully collated with the facts, there is scarcely a better example, perhaps, in the English language.

The peroration of that speech, on the other hand, though it commences with a ludicrous allusion, closes in a bold, manly, sublime and impressive manner. Alluding to Mr. Calhoun, and to his doctrine of state-rights, he says: "Finally, the nonorable member declares that he shall now march off under the banner of state-rights! March off from whom? March off from what? We have been contending for great principles. We have been struggling to maintain the liberty and to restore the prosperity of the country; we have made these struggles here, in the national councils, with the old flag, the true American flag, the eagle, and the stars and stripes, waving over the chamber in which we sit. He now tells us, however, that he marches off under the state-rights banner!

"Let him go. I remain. I am where I ever have been, and where I ever mean to be. Here, standing on the platform of the general constitution, a platform broad enough and firm enough to uphold every interest of the whole country, I shall still be found. Intrusted with some part in the administration of that constitution, I intend to act in its spirit, and in the spirit of those who framed it. Yes, sir, I would act as if our fathers, who framed it for us, and who bequeathed it to us, were looking on me; as if I could see their venerable forms bending down to behold us, from the abodes above. I would act, too, as if the eye of posterity was gazing on me.

"Standing thus, as in the full gaze of our ancestors and our posterity, having received this inheritance from the former, to be transmitted to the latter, and feeling that, if I am born for any good, in my day and generation, it is for the good of the whole country, no local policy or local feeling, no temporary impulse, shall induce me to yield my foothold on the constitution of the Union. I move off under no banner not known to the whole American people, and to their constitution and laws. No, sir; these walls, these columns,

'shall fly
From their firm base as soon as I!'

"I came into public life, sir, in the service of the United States. On that broad altar, my earliest, and all my public vows, have been made. I propose to serve no other master. So far as depends on any agency of mine, they shall continue united states; united in interest and in affection; united in everything in regard to which the constitution has decreed their union; united in war, for the common defense, the common renown, and the common glory; and united, compacted, knit firmly together, in peace, for the common prosperity and happiness of ourselves and our children."

It is reported by Mr. Everett, that, "not long after the publication of this speech, the present Lord Overstone, then Mr. S. Jones Lloyd, one of the highest authorities upon financial subjects in England, was examined upon the subject of banks and currency before a committee of the house of commons. He produced a copy of the speech of Mr. Webster before the committee, and pronounced it one of the ablest and most satisfactory discussions of these subjects which he had seen. In writing afterwards to Mr. Webster, he spoke of him as a master who had instructed him on these subjects." The truth is, that, though not a practical banker, and though he had never been in any pecuniary business for a day in his life, he

was capable of instructing the most experienced financier in the elements and principles of his own profession. But his instructions were not entirely popular at home. There was a large class of his fellow-citizens, who, though all combined could not match him in knowledge of these subjects, deemed themselves above the advice of him who instructed all other men. The American who came nearest to him, in knowledge, in experience, in wisdom upon these topics, was Mr. Calhoun; and yet that gentleman, in general so candid and so able, was trammeled upon this subject by his political relations, and by an unfortunate inconsistency which had occurred in his opinions between the earlier and later periods of his life. Mr. Calhoun, in fact, was the only gentleman in the senate capable of taking up the argument, with any prospect of tolerable success, against Mr. Webster. He did take it up; and, after replying, as well as he could, to the facts and the logic introduced by Mr. Webster, he sought to cast odium upon his antagonist by accusing him, or hinting that he might accuse him, if time permitted, of having maintained no great amount of consistency as a statesman. Had he time to do so, he said, he might say something about Mr. Webster's first and subsequent course in relation to the late war. This insinuation, made toward the close of Mr. Calhoun's reply, brought Mr. Webster immediately to his feet. After answering the arguments of his opponent, he met this insinuation in a manner peculiar to himself, in a way forever to silence the tongue of slander on that subject, and after a fashion, one would think, to bring blushes of regret, if no other blushes, on Mr. Calhoun's cheek: "But, sir, before attempting that, he, [Mr. Calhoun] has something else to say. He had prepared, it seems, to draw comparisons himself. He had intended to say something if time had allowed, upon our respective opinions and conduct in regard to the war. If time had allowed! Sir, time does allow, time must allow. A general remark of that kind ought not to be, cannot be, left to pro-

duce its effect, when that effect is obviously intended to be unfavorable. Why did the gentleman allude to my votes or my opinions respecting the war at all, unless he had something to say? Does he wish to leave an undefined impression that something was done, or something said, by me, not now capable of defense or justification? something not reconcilable with true patriotism? He means that, or nothing. And now, sir, let him bring the matter forth; let him take the responsibility of the accusation; let him state his facts. I am here to answer; I am here, this day, to answer. Now is the time, and now the hour. I think we read, sir, that one of the good spirits would not bring against the arch-enemy of mankind a railing accusation; and what is railing but general reproach, an imputation without fact, time, or circumstance? Sir, I call for particulars. The gentleman knows my whole conduct well; indeed, the journals show it all, from the moment I came into congress till the peace. If I have done, then, sir, anything unpatriotic, anything which, as far as love to country goes, will not bear comparison with his or any man's conduct, let it now be stated. Give me the fact, the time, the manner. He speaks of the war; that which we call the late war, though it is now twenty-five years since it terminated. He would leave an impression that I opposed it. How? I was not in congress when war was declared, nor in public life anywhere. I was pursuing my profession, keeping company with judges and jurors, and plaintiffs and defendants. If I had been in congress, and had enjoyed the benefit of hearing the honorable gentleman's speeches, for aught I can say, I might have concurred with him. But I was not in public life. I never had been, for a single hour; and was in no situation, therefore, to oppose or to support the declaration of war. I am speaking to the fact, sir; and if the gentleman has any fact, let us know it.

"Well, sir, I came into congress during the war. I found it

waged, and raging. And what did I do here to oppose it? Look to the journals. Let the honorable gentleman tax his memory. Bring up anything, if there be anything to bring up, not showing error of opinion, but showing want of loyalty or fidelity to the country. I did not agree to all that was proposed, nor did the honorable member. I did not approve of every measure, nor did he. The war had been preceded by the restrictive system and the embargo. As a private individual, I certainly did not think well of these measures. It appeared to me that the embargo annoyed ourselves as much as our enemies, while it destroyed the business and cramped the spirits of the people. In this opinion, I may have been right or wrong, but the gentleman was himself of the same opinion. He told us the other day, as a proof of his independence of party on great questions, that he differed with his friends on the subject of the embargo. He was decidedly and unalterably opposed to it. It furnishes, in his judgment, therefore, no imputation either on my patriotism, or on the soundness of my political opinions, that I was opposed to it also. I mean opposed in opinion; for I was not in congress, and had nothing to do with the act creating the embargo. And as to opposition to measures for carrying on the war, after I came into congress, I again say, let the gentleman specify; let him lay his finger on anything calling for an answer, and he shall have an answer.

"Mr. President, you were yourself in the house during a considerable part of this time. The honorable gentleman may make a witness of you. He may make a witness of any body else. He may be his own witness. Give us but some fact, some charge, something capable in itself either of being proved or disproved. Prove anything, state anything, not consistent with honorable and patriotic conduct, and I am ready to answer it. Sir, I am glad this subject has been alluded to in a manner which justifies me in taking public notice of it;

because I am well aware that, for ten years past, infinite pains has been taken to find something, in the range of these topics, which might create prejudice against me in the country. The journals have all been pored over, and the reports ransacked, and scraps of paragraphs and half-sentences have been collected, fraudulently put together, and then made to flare out as if there had been some discovery. But all this failed. The next resort was to supposed correspondence. My letters were sought for, to learn if, in the confidence of private friendship, I had ever said anything which an enemy could make use of. With this view, the vicinity of my former residence has been searched, as with a lighted candle. New Hampshire has been explored from the mouth of the Merrimack to the White Hills. In one instance, a gentleman had left the state, gone five hundred miles off, and died. His papers were examined; a letter was found, and, I have understood, it was brought to Washington; a conclave was held to consider it, and the result was, that, if there was nothing else against Mr. Webster, the matter had better be let alone. Sir, I hope to make everybody of that opinion who brings against me a charge of want of patriotism. Errors of opinion can be found, doubtless, on many subjects; but as conduct flows from the feelings which animate the heart, I know that no act of my life has had its origin in the want of ardent love of country."

Notwithstanding the warmth of this rejoinder, and the warmth of the entire debate between the two great champions of the senate, of the north and of the south, at this time, as at all other times, there was never for a moment, probably, any want of mutual regard and sincere personal esteem between them. Each always spoke of the other as the most formidable of his opponents among all the politicians and statesmen of the country; Mr. Webster always admired Mr. Calhoun for his boldness and ability in avowing and maintaining his opinions; and Mr. Calhoun, it is well known, declared on his death-bed, after

giving utterance to other high compliments, that, "of all the public men of the day, there was no one, whose political course had been more strongly marked by a strict regard to truth and honor than Mr. Webster's." Indeed, such had been the honesty, the singleness of purpose, as well as the masterly ability of Mr. Webster's political career, from the first, that he had been constantly rising, up to the very time now under consideration, in the honorable esteem, not only of his political friends, but of his political opponents. Setting aside his opinions, in which there will always be more or less difference among men of the greatest eminence, he was now acknowledged, on all hands, as the first of American statesmen, and the pride of the American republic. On nearly every subject, which had not been incorporated into the creeds of the parties, his opinion was about of the same force as a law, to a great majority of his countrymen. The whole country followed him with regard, admiration, and eulogiums. Not a line could fall from his pen, not a word could drop from his lips, that was not caught and received as worthy of repetition and record. Whenever he met his fellow-citizens, on any public occasion, he was thronged by a multitude far greater than could be called together, or had ever been called together, by any man ever upon this continent. His audiences, when no one else was expected to speak, have been estimated, on several occasions, to range from one to two hundred thousand people. In fact, had he taken it into his head to see how a small, quiet, ordinary assembly would appear, out among the people, it would not have been possible for him, for the twenty years preceding this period of his life, to have succeeded in the undertaking. Wherever he came, there the masses of the population would rush together; and, so great was the desire to see him, that anywhere out of Boston and Washington, where he was most familiar, it was almost as impossible for him to enjoy the ordinary rights and immunities of a private citizen. When he wished to walk through

the streets of any of our larger cities, he often found himself blockaded by the greeting multitudes that followed and opposed him; and he was compelled, when he wished to make any husbandry of his time, to go over the shortest distances in his carriage. His fame, too, was now fully established in other countries. He was known about as well in Europe as on this continent; and, in a rapid and brief trip across the Atlantic, made in the spring and summer of 1839, he had occasion to witness, perhaps very much to his own surprise, the length and breadth of his foreign popularity. In England, Scotland, Ireland and France, which were the countries visited, the common people seemed to know him; they followed him, as he was followed at home, in vast multitudes; and the highest of the nobility, forgetting their titles and their ancestral pride, thought it no dishonor to pay their court to so great a man as Mr. Webster. "No traveler from this country," says Mr. Everett, speaking of this visit, "has probably ever been received with equal attention in the highest quarters in England. Courtesies usually paid only to ambassadors and foreign ministers, were extended to him. His table was covered with invitations to the seats of the nobility and gentry; and his company was eagerly sought at the entertainments which took place while he was in the country." He was present, by invitation, at the first triennial celebration of the Royal Agricultural Society of England, at Oxford, where he made an address to the farmers of England, in the shade of the great English university; and, in making reply to a toast offered him from the head of the tables, by Earl Spencer, the president of the society, surrounded by many of the nobility of the kingdom, he seemed to be as much self-possessed, as much at home, as if he had been speaking to his neighbors and friends in Boston. Attempting, more than once, to take his seat, after he had occupied more time than had been employed by the other speakers, he was forced to go forward with a speech, instead of a few remarks, by the cheers, plaudits

and vociferous demands from every part of the assemblage; and when he sat down, at the conclusion of his extempore address of about thirty minutes, he had said enough to convince every man present, and that entire England, which, in less than three days, had read and admired the speech, that there was no illusion, no fiction, no exaggeration in the American and European fame of the great lawyer, statesman, and orator of his age and country.

CHAPTER X.

FIRST TERM AS SECRETARY OF STATE.

The fate of Mr. Van Buren's administration was sealed a long time before its termination. It was doomed, in fact, before it had commenced. Burdened by the consequences of the financial experiment of his predecessor, which Mr. Van Buren had in words and in fact assumed, and promising, in his first message, to follow in the footsteps of that predecessor, he found it impossible to carry on the government with any great success, because there was real suffering, and heart-felt complaining, in all parts of the republic. In directing the eyes of the people to the true cause of all their sufferings, and in making them generally believe it to be the cause, Mr. Webster had been the leading agent; he had gone into the canvass of 1840, the most enthusiastic one of our whole history, with great zeal; and the consequence was, at least the result was, the triumphant election of General Harrison.

No sooner was it certain that the election had thus resulted, than the president elect addressed Mr. Webster, and offered him his choice in the new cabinet, though the president desired him to take the treasury department. This preference was founded on the fact, now universally confessed, that Mr. Webster was by far the ablest financier in the country; and, as the currency was in a most deplorable condition, requiring the highest constructive abilities to restore it to its former state of soundness, it was natural enough to look to such a

man for such a labor. But this was not, upon the whole, the preference of Mr. Webster. Though a great work was to be done in this department, a work of high moment to the internal prosperity of the country, he saw very clearly, from the history of the preceding forty or fifty years, that a greater work was to be performed for the external relations of the government, which were in a very critical condition. Our relations with England, in particular, were exceedingly sensitive and unpromising. War with England had been foretold by many of the most sagacious statesmen of both countries. Some of our own statesmen, or politicians, had been for years looking with hope, if not with effort, toward the opening of a rupture. There were not wanting men of the highest position in Great Britain, who began to think it time to strike a blow against us, and do something to humble the pretensions, and break the example, of the great republic. Many causes of irritation were existing, which had been growing more and more irritating for a quarter of a century, between the two nations. The boundary line, in fact, always a question of great danger, if left to be a question, had not been settled between the United States and the Canadas. The north-eastern, north-western, and much of the intervening portions of the boundary line, had never been determined. Along the entire border, from New Brunswick to the Pacific ocean, there was a great extent of disputed territory, on some portions of which, claimed sturdily by Great Britain, our general government had built public works; and on large tracts, east and west, an American population had settled down, supposing the soil to be American, while it was in fact disputed between the two countries.

In addition to this great question of boundary, there was the question of the African slave-trade, which, though formally denounced by both governments as piracy, had created disturbances of a serious nature, in consequence of the peculiar laws of Great Britain in relation to slavery and freedom, which she

had put in force over slaves which had been, by stress of weather or other forcible causes, carried within her territorial limits. Slaves, even accompanied by their owners, had been thus landed by accident in some ports of the British West Indies; and the local authorities, applying their local law of freedom to such slaves, and setting them at liberty from their masters, had given great offense to a large portion of our citizens, and had really committed an express indignity to the law of nations.

At an evil time, also, there had occurred on the American border, in the destruction of the steamboat Caroline, by British troops, a case of the most exciting character, which had roused the jealousy and anger of both governments. One of the perpetrators of this act, on coming, afterward, within the limits of the state of New York, had been arrested on a charge of murder, and bound over for trial; and England, on hearing of the critical situation of that gentleman, Alexander McLeod, had demanded, not of New York, of course, but of the general government, the immediate release of the prisoner, while it was impossible for the general government, according to our system of confederation, to interfere, in any way whatever, in the matter

Many other causes existed, of a very delicate character, to disturb the peaceful relations of the two countries; and Mr. Webster, therefore, knowing fully that the internal prosperity of a commercial community depends at last on the nature and condition of its external relations, chose to accept the office of secretary of state, in place of that of secretary of the treasury, as offered by General Harrison. General Harrison was not at all displeased with the selection; and the country has now, as it ever will have, the best of reasons to congratulate itself on the choice made, and its memorable results. If Mr. Webster has ever done a work worthy of universal commendation, or likely to be remembered over the civilized world longer than another work, it is that performed by him, at this period of

his life, while in this position; for it was in this that he settled forever the most difficult and delicate questions that had ever existed between the two leading empires of modern history.

Mr. Webster had scarcely taken his seat in the chair of state, when he received a note from Mr. Fox, British minister at Washington, dated March 12th, 1841, demanding the release of McLeod by the authorities of New York. In his reply, Mr. Webster reminds Mr. Fox, that, according to the laws of the United States, as well as those of England, the executive has no right to interfere with a judicial process before trial, and that, if any interference were possible, it would not be possible to the president, but to the governor of New York, as every state, though a part of the general confederacy, is an independent sovereignty, over whose municipal officers the general government has no control. Mr. Fox, in making the demand, informed Mr. Webster that the act with which Mr. McLeod had been charged, was an act performed under authority of the British government, and the British government assumed the entire responsibility of the act; and, therefore, Mr. Webster addressed a letter to the attorney general of the United States, giving him official knowledge of this fact, and directing him to make it known to McLeod's counsel, that it might be plead before the court, and thus secure the release of the prisoner in a constitutional and lawful manner. The New York court, however, would not receive this plea in justification, but held McLeod personally responsible. He was not released, on demand of the British government, but tried on the indictment, in spite of the demand, as any other criminal would have been. This gave great offence to the government of Great Britain; and had not the trial terminated in the acquittal of the prisoner, it is probable that war between the two countries would have been the sequel.

The feeling, however, was not all on the side of England. The people of the United States, and particularly the people

living along the Canadian border, were indignant at the destruction of the Caroline, a vessel purporting to run between Buffalo and Schlosser, but really engaged in supplying men and ammunition to the Canadian rebels, who, joined by many American citizens of a low character, had undertaken to subvert the government of Great Britain in the Canadas. The case was not properly understood by the citizens of the United States, generally. They supposed that the steamboat Caroline, engaged in a peaceful traffic, while lying at her own wharf at Schlosser, had been boarded by a detachment of Canadian soldiers, set on fire, and then drawn out into the current to float over the Niagara. They were told, too, that American citizens had been murdered in the encounter; that, when set on fire and hauled into the stream, the Caroline had not only dead bodies, but living persons, on her decks and in her cabins, all of whom were left to make that awful plunge from which humanity shrinks with horror; and that the British government now assumed the whole proceeding as its own act, for which it held itself, however, as it was an act of justifiable self-defense, irresponsible.

All these proceedings, the destruction of the Caroline, the murder of an American citizen, for it turned out that only one was killed, and the violation of our territory had taken place in the year 1837, the first year of Mr. Van Buren's administration; but, instead of being settled by that administration, they had been only aggravated by the arrest of McLeod, by a crooked diplomatic correspondence, and by that natural process of aggravation which grows out of letting difficulties remain as matters of crimination and recrimination, instead of being promptly met at their first appearance. The first thing Mr. Webster had to do, therefore, was to explain to the British government the actual condition of affairs, and, as that government had assumed the responsibility of the whole case, to procure Mr. McLeod's release, that he might hold Great Brit-

ain to the responsibility it had avowed. His letter to Mr. Fox is as able a performance of the kind as had ever issued from the department of state; and though the court of New York did not act upon the law as stated by Mr. Webster, nor follow his advice, its decision has been condemned, not only by such men as Chancellor Kent, Chief Justice Spencer, and Judge Tallmadge, of New York, but by nearly every lawyer and jurist of eminence in the country.

This cause of irritation being removed, however, by the acquittal of the prisoner, Mr. Webster set himself to work to settle the other prominent difficulties that existed between the United States and England. He wished, if possible, to lay the foundations of a perpetual peace between the two great commercial countries of the world. The world, he thought, demanded such a peace. Not only the trade and business and financial prosperity of the two countries demanded it; but it was equally demanded by the cause of civilization, of religion, of liberty, of general intelligence, of universal philanthropy. Having obtained the consent of Mr. Tyler, now president of the United States in consequence of the lamented and untimely death of General Harrison, he addressed a note to Mr. Fox in the summer of 1841, in which he distinctly stated that the government of the United States was prepared to enter upon negotiations for the settlement of all questions pending between the governments. In the September following, the ministry of Sir Robert Peel having come into power, the proposition was received with favor; and in December, Lord Aberdeen, secretary of state for foreign affairs, informed Mr. Everett, minister of the United States at the court of London, that the government of England had determined to send Lord Ashburton, a particular friend of Mr. Webster, as a special minister to this country, with full powers to settle the boundary question, and several other questions yet in controversy between the two governments.

Lord Ashburton arrived in the United States on the 4th of April, 1842, when Mr. Webster commenced his great task, by addressing notes to the governors of Maine and Massachusetts, asking a joint commission, on the part of the two states interested in the north-eastern boundary, to act definitively and in concert with himself and the British special minister. Both states immediately complied with the request of Mr. Webster; and their commissioners reached Washington in the early part of June, when the work of settlement was at once begun. That the commissioners might not be detained longer than necessary, the first topic introduced was the north-eastern boundary question, the peculiar intricacies and difficulties of which have been clearly and succinctly stated by Mr. Webster. In his speech to the senate, delivered on the 6th and 7th of April, 1846, he says: "In the treaty of peace of September, 1783, the northern and eastern, or perhaps, more properly speaking, the north-eastern boundary of the United States, is described as follows: 'From the north-west angle of Nova Scotia, namely, that angle which is formed by a line drawn due north from the source of St. Croix river to the highlands; along the said highlands, which divide those rivers that empty themselves into the river St. Lawrence from those which fall into the Atlantic ocean, to the north-westernmost head of Connecticut river; thence, along the middle of that river, to the forty-fifth degree of north latitude; from thence by a line due west on said latitude, until it strikes the river Iroquois, or Cateraquy. East, by a line to be drawn along the middle of the river St. Croix, from its mouth in the bay of Fundy, to its source, and from its source directly north to the aforesaid highlands.

"Such is the description of the north-eastern boundary of the United States, according to the treaty of peace of 1783. And it is quite remarkable that so many embarrassing questions should have arisen from these few lines, and have been matters of controversy for more than half a century.

"The first question disputed was, 'Which of the several rivers running into the bay of Fundy, is the St. Croix, mentioned in the treaty?' It is singular that this should be matter of dispute, but so it was. England insisted that the true St. Croix was one river. The United States insisted that it was another.

"The second controverted question was, 'Where is the north-west angle of Nova Scotia to be found?'

"The third, 'What and where are the highlands, along which the line is to run, from the north-west angle of Nova Scotia to the north-westernmost head of Connecticut river?'

"The fourth, 'Of the several streams, which, flowing together, make up the Connecticut river, which is that stream which ought to be regarded as its north-westernmost head?'

"The fifth was, 'Are the rivers which discharge their waters into the bay of Fundy, rivers "which fall into the Atlantic ocean," in the sense of the terms used in the treaty?'

"The fifth article of the treaty between the United States and Great Britain, of the 19th of November, 1794, after reciting, that doubt had 'arisen what river was truly intended under the name of the river St. Croix,' proceeds to provide for the decision of that question, by creating three commissioners, one to be appointed by each government, and these two to choose a third; or, if they could not agree, then each to make his nomination, and decide the choice by lot. The two commissioners agreed on a third; the three executed the duty assigned them, decided what river was the true St. Croix, traced it to its source, and there established a monument. So much, then, on the eastern line was settled; and all the other questions remained wholly unsettled down to the year 1842."

Mr. Webster then goes on to show what had been attempted, by the successive administrations of our government, during the present century. On the 12th of May, 1803, a convention was ratified by Lord Hawksbury and Rufus King, providing

for the appointment of three commissioners, in the manner before mentioned, who should have power "to run and mark the line from the monument, at the source of the St. Croix, to that north-west angle of Nova Scotia; and also to determine the north-westernmost head of Connecticut river; and then to run and mark the boundary line between the north-west angle of Nova Scotia and the said north-westernmost head of Connecticut river; and the decision and proceedings of the said commissioners were to be final and conclusive.

"No objection," continues Mr. Webster, "was made by either government to this agreement and stipulation; but an incident arose to prevent the final ratification of the treaty; and it arose in this way. Its fifth article contained an agreement between the parties, settling the line of boundary between them beyond the Lake of the Woods. In coming to this agreement, they proceeded, exclusively, on the grounds of their respective rights under the treaty of 1783; but it so happened, that, twelve days before the convention was signed in London, France, by a treaty signed in Paris, had ceded Louisiana to the United States. This cession was at once regarded as giving to the United States new rights, or new limits, in this part of the continent. The senate, therefore, struck this fifth article out of the convention; and, as England did not incline to agree to this alteration, the whole convention fell."

The whole subject rested till revived, in 1814, by the fifth article of the treaty of Ghent, which provided for the appointment of two commissioners, who should examine and run the line, from the source of the St. Croix to the St. Lawrence, according to the treaty of 1783; but the commissioners, if they could not agree, were to state their points of difference, which were afterwards to be submitted, by the two governments, to the arbitration of some friendly power. The commissioners did not agree; and the matter was finally committed to the king of the Netherlands, who, in 1831, made a decision to

which neither country would consent. General Jackson was now president; and the president took it upon him, as a special task, to bring this great question to a final settlement. Nothing, however, was accomplished during his entire administration of the government; and in his last annual message he admitted, that, after toiling for five years upon the subject, he had not proceeded so far as to know what the views of England were in relation to the settlement: "I regret to say," says the president, "that many questions of an interesting nature, at issue with other powers, are yet unadjusted; among the most prominent of these is that of the north-eastern boundary. With an undiminished confidence in the sincere desire of his Britanic majesty's government to adjust that question, I am not yet in possession of the precise grounds upon which it proposes a satisfactory adjustment."

Such was the condition of the question on the elevation of Mr. Van Buren to the presidency; and, in his first annual message, he expresses his deep regret, which, no doubt, bordered upon mortification, that, for a period of about half a century, nothing had been done by our government in the settlement of this difficulty: "Of pending questions," says the message, "the most important is that which exists with the government of Great Britain in respect to our north-eastern boundary. It is with unfeigned regret, that the people of the United States must look back upon the abortive efforts made by the executive for a period of more than half a century, to determine what no nation should suffer long to remain in dispute, the true line which divides its possessions from those of other powers." When publishing this opinion, Mr. Van Buren no doubt felt confidence, that he should have the merit of settling this great question; but his efforts, on this matter, were as abortive as the efforts of his predecessors. He left it, in fact, in a worse condition than that in which he found it: "And now, sir," said Mr. Webster, in the speech before mentioned, and in ref-

erence to the tacit and premature assurance but ultimate failure of Mr. Van Buren, "what did he accomplish? What progress did he make? What step forward did he take, in the whole course of his administration? Seeing the full importance of the subject, addressing himself to it, and not doubting the just disposition of England, I ask again, what did he do? What advance did he make? Sir, not one step in his whole four years. Or rather, if he made any advance at all, it was an advance backward; for, undoubtedly, he left the question in a much worse condition than he found it, not only on account of the disturbances and outbreaks which had taken place on the border, for the want of an adjustment, and which disturbances themselves had raised new and difficult questions, but on account of the intricacies and complexities, and perplexities, in which the correspondence had become involved. The subject was entangled in meshes, which rendered it far more difficult to proceed with the question, than if it had been fresh and unembarrassed."

This closing allegation of Mr. Webster is entirely correct. Border troubles of a very serious nature had sprung up between Maine and the authorities of New Brunswick. The American settlements on the Madawaska had been threatened with hostilities; a general panic had thus spread among them; and the governor of Maine, Mr. Fairfield, had ordered a large body of militia to the disputed territory for the defence of the soil and the protection of the inhabitants. The whole country was excited upon the subject; and when Mr. Webster, Lord Ashburton and the joint commissioners began their negotiations, they had every reason to believe, indeed there could be no doubt, that a failure now would result in immediate war between the two countries.

Happily for both, however, the wisdom and friendship of the two ministers, aided by the intelligence and patriotism of the commissioners, prevailed over every disturbing influence. The

negotiations were carried on chiefly by conversations betweer Lord Ashburton and Mr. Webster. Having agreed upon the boundary line, after an amount of investigation which no one not experienced in such troubles can at all appreciate, it was proposed in a letter from the American secretary to the joint commissioners, and thus, mainly by the industry, ability and perseverance of Mr. Webster, the most fundamental and perplexing difficulty that ever existed between the United States and a foreign government, which had baffled the skill of every successive cabinet since the foundation of the republic, which had threatened hostilities between the two countries for more than fifty years, and which was likely to bring us into an immediate outbreak and war with the British empire, was finally and forever put to rest. A treaty was concluded upon, by Lord Ashburton and Mr. Webster, which definitely and definitively fixed the boundary between the United States and the British possessions in North America, along the whole line, from Nova Scotia to the St. Lawrence, thence up the channel of that river and through the great chain of lakes to the portages above the head waters of Lake Superior, and thence through untrodden and pathless forests, and over and along vast mountain ranges, for a distance of about four thousand miles, a line long enough to divide the whole of Europe, to the base of the Rocky Mountains.

Notwithstanding the partisan objections, which were at one time raised against this settlement of the boundary, all of which were thoroughly answered by Mr. Webster in his speech of the 6th and 7th of April, 1846, any American, who will take the pains, or rather give himself the pleasure, of reading the treaty of Washington, by which this settlement was made, and all the documents pertaining to the subject, will not fail to see, that England gave up, and intended to give up, almost every disputed interest connected with this question, as an offset to other interests, which she had more at heart, and which she

made a prominent part of the negotiations. Those high and paramount interests were connected with the African slave-trade. She did not call upon us, however, to undertake or initiate any new policy in reference to this subject; for she well knew that the United States had taken the lead of all other countries in declaring the slave-trade piracy, punishable as a crime of the greatest magnitude. What she desired was, that our government should accept of her coöperation in executing a common determination to suppress it; that we should agree to unite with her in maintaining a sufficient force at sea, and particularly on the coast of Africa, to secure a speedy extinction of the traffic; and that our government should consent, in order to carry out this grand design, to the visitation of merchant vessels sailing under our flag, for the purpose of putting a stop to the practice, common to the unholy trade, of sailing under false colors while prosecuting their nefarious business.

Nothing, certainly, could have been proposed more consonant to the repeated legislation and solemn declarations of our government; but, strange to say, from the time when our legislation was had upon the subject, there had been a singular reluctance, on the part of our several and successive cabinets, to enter into any very special stipulations of this nature. The history of the negotiations, which have occurred between this country and Great Britain, is very briefly and correctly stated by Mr. Everett: "The British government," says that gentleman, "for the praiseworthy purpose of putting a stop to the traffic in slaves, has at different times entered into conventions with several of the states of Europe authorizing a mutual right of search of the trading vessels of each contracting party by the armed cruisers of the other party. These treaties give no right to search the vessels of nations not parties to them. But if an armed ship of either party should search a vessel of a third power under a reasonable suspicion that she belonged to the other contracting party, and was pursuing the slave-trade in

contravention of the treaty, this act of power, performed by mistake, and with requisite moderation and circumspection in the manner, would not be just ground of offense. It would, however, authorize a reasonable expectation of indemnification on behalf of the private individuals who might suffer by the detention, as in other cases of injury inflicted on innocent persons by public functionaries acting with good intentions, but at their peril.

"The government of the United States, both in its executive and legislative branches, has at almost all times manifested an extreme repugnance to enter into conventions for a mutual right of search. It has not yielded to any other power in its aversion to the slave-trade, which it was the first government to denounce as piracy. The reluctance in question grew principally out of the injuries inflicted upon the American commerce, and still more out of the personal outrages in the impressment of American seamen, which took place during the wars of Napoleon, and incidentally to the belligerent right of search and the enforcement of the Orders in Council and the Berlin and Milan decrees. Besides a wholesale confiscation of American property, hundreds of American seamen were impressed into the ships of war of Great Britain. So deeply had the public sensibility been wounded on both points, that any extension of the right of search by the consent of the United States was for a long time nearly hopeless.

"But this feeling, strong and general as it was, yielded at last to the detestation of the slave-trade. Toward the close of the second administration of Mr. Monroe the executive had been induced, acting under the sanction of resolutions of the two houses of congress, to agree to a convention with Great Britain for a mutual right of search of vessels suspected of being engaged in the traffic. This convention was negotiated in London by Mr. Rush on the part of the United States, Mr

Canning being the British secretary of state for foreign affairs.

"In defining the limits within which this right should be exercised, the coasts of America were included. The senate were of opinion that such a provision might be regarded as an admission that the slave-trade was carried on between the coasts of Africa and the United States, contrary to the known fact, and to the reproach either of the will or power of the United States to enforce their laws, by which it was declared to be piracy. It also placed the whole coast of the Union under the *surveillance* of the cruisers of a foreign power. The senate accordingly ratified the treaty, with an amendment exempting the coasts of the United States from the operation of the article. They also introduced other amendments of less importance.

"On the return of the treaty to London thus amended, Mr. Canning gave way to a feeling of dissatisfaction at the course pursued by the senate, not so much on account of any decided objection to the amendment in itself considered, as to the claim of the senate to introduce any change into a treaty negotiated according to instructions. Under the influence of this feeling, Mr. Canning refused to ratify the treaty as amended, and no further attempt was at that time made to renew the negotiation.

"It will probably be admitted on all hands, at the present day, that Mr. Canning's scruple was without foundation. The treaty had been negotiated by this accomplished statesman, under the full knowledge that the constitution of the United States reserves this power to the senate. That it should be exercised was, therefore, no more matter of complaint, than that the treaty should be referred at all to the ratification of the senate. The course pursued by Mr. Canning was greatly to be regretted, as it postponed the amicable adjustment of this matter for eighteen years, not without risk of serious misunderstanding in the interval.

"Attempts were made on the part of England, during the ministry of Lord Melbourne, to renew the negotiation with the United States, but without success. Conventions between France and England, for a mutual right of search within certain limits, were concluded in 1831 and 1833, under the ministry of the Duc de Broglie, without awakening the public sensibility in the former country. As these treaties multiplied, the activity of the English cruisers increased. After the treaty with Portugal, in 1838, the vessels of that country, which, with those of Spain, were most largely engaged in the traffic, began to assume the flag of the United States as a protection; and in many cases, also, although the property of vessels and cargo had, by collusive transfers on the African coast, become Spanish or Portuguese, the vessels had been built and fitted out in the United States, and too often, it may be feared, with American capital. Vessels of this description were provided with two sets of papers, to be used as occasion might require.

"Had nothing further been done by British cruisers than to board and search these vessels, whether before or after a transfer of this kind, no complaint would probably have been made by the government of the United States. But, as many American vessels were engaged in lawful commerce on the coast of Africa, it frequently happened that they were boarded by British cruisers, not always under the command of discreet officers. Some voyages were broken up, officers and men occasionally ill-treated, and vessels sent to the United States or Sierra Leone for adjudication.

"In 1840 an agreement was made between the officers in command of the British and American squadrons respectively, sanctioning a reciprocal right of search on the coast of Africa. It was a well-meant, but unauthorized step, and was promptly disavowed by the administration of Mr. Van Buren. Its operation, while it lasted, was but to increase the existing difficulty. Reports of the interruptions experienced by our com-

merce in the African waters began greatly to multiply; and there was a strong interest on the part of those surreptitiously engaged in the traffic to give them currency. A deep feeling began to be manifested in the country; and the correspondence between the American minister in London and Lord Palmerston, in the last days of the Melbourne ministry, was such as to show that the controversy had reached a critical point. Such was the state of the question when Mr. Webster entered the department of state."

Mr. Everett was at this time in Europe, as minister to the court of London; and, notwithstanding the lengthy quotation already made from him, his testimony respecting the state of the question on the other side of the Atlantic is the best on record, and can hardly be substituted by anything that can now be written: "The controversy was transmitted," he says, in continuation of his account, "to the new administrations on both sides of the water, but soon assumed a somewhat modified character. The quintuple treaty, as it was called, was concluded at London, on the 20th of December, 1841, by England, France, Austria, Prussia, and Russia; and information of that fact, as we have seen above, was given by Lord Aberdeen to Mr. Everett the same day. A strong desire was intimated that the United States would join this association of the great powers, but no formal invitation for that purpose was addressed to them. But the recent occurrences on the coast of Africa, and the tone of the correspondence above alluded to, had increased the standing repugnance of the United States to the recognition of a right of search in time of peace.

"In the mean time, the same complaints, sometimes just, sometimes exaggerated, sometimes groundless, had reached France from the coast of Africa, and a strong feeling against the right of search was produced in that country. The incidents connected with the adjustment of the Syrian question, in 1840, had greatly irritated the French ministry and people, and

the present was deemed a favorable moment for retaliation. On the assembling of the chambers, an amendment was moved by M. Lefebvre to the address in reply to the king's speech in the following terms: 'We have also the confidence, that, in granting its concurrence to the suppression of a criminal traffic, your government will know how to preserve from every attack the interests of our commerce and the independence of our flag.' This amendment was adopted by the unanimous vote of the chambers.

"This was well understood to be a blow aimed at the quintuple treaty. It was the most formidable parliamentary check ever encountered by M. Guizot's administration. It excited profound sensation throughout Europe. It compelled the French ministry to make the painful sacrifice of a convention negotiated agreeably to instructions, and not differing in principle from those of 1831 and 1833, which were consequently liable to be involved in its fate. The ratification of the quintuple treaty was felt to be out of the question. Although it soon appeared that the king was determined to sustain M. Guizot, it was by no means apparent in what manner his administration was to be rescued from the present embarrassment.

"The public feeling in France was considerably heightened by various documents which appeared at this juncture, in connection with the controversy between the United States and Great Britain. The president's message and its accompanying papers reached Europe about the period of the opening of the session. A very few days after the adoption of M. Lefebvre's amendment, a pamphlet, written by General Cass, was published in Paris, and, being soon after translated into French and widely circulated, contributed to strengthen the current of public feeling. A more elaborate essay was, in the course of the season, published by Mr. Wheaton, the minister of the

United States at Berlin, in which the theory of a right of search in time of peace was vigorously assailed."

Difficult and tangled as this question had become, however, the eighth article of the treaty of Washington settled it so completely and so easily, that, as in every similar case where a great discovery is made, the universal feeling of the country and the world was a general sentiment of wonder that the discovery had never been made before: "The parties mutually stipulate," says the article mentioned, "that each shall prepare, equip and maintain in service, on the coast of Africa, a sufficient and adequate squadron, or naval force of vessels, of suitable numbers and descriptions, to carry in all not less than eight guns, to enforce, *separately and respectively*, the laws, rights, and obligations of each of the two countries, for the suppression of the slave-trade; the said squadrons to be independent of each other, but the two governments stipulating, nevertheless, to give such orders to the officers commanding their respective forces, as shall enable them most effectually to act in concert and coöperation, upon mutual consultations, as exigencies may arise, for the attainment of the true object of this article; copies of all such orders to be communicated by each government to the other, respectively."

The two countries made an additional stipulation, in relation to other governments, with a desire still farther to act in concert in suppressing and forever rooting up this unrighteous traffic; and it was a stipulation, which, while it promised to secure its object, entirely avoided the offensive claim, set up by Great Britain, of a right of search: "Whereas," says the ninth article of the treaty, "notwithstanding all efforts which may be made on the coast of Africa for suppressing the slave-trade, the facilities for carrying on that traffic and avoiding the vigilance of cruisers by the fraudulent use of flags, and other means, are so great, and the temptations for pursuing it, while a market can be found for slaves, so strong, as that the desired result

may be long delayed, unless all markets be shut against the purchase of African negroes, the parties to this treaty agree, that they will unite in all becoming representations and remonstrances with any and all powers within whose dominions such markets are allowed to exist; and that they will urge upon all such powers the propriety and duty of closing such markets effectually, at once and forever." Thus, in a very simple and amicable manner, England was permitted to obtain of us the *quid pro quo* for which she had yielded nearly everything in relation to the boundary; and this very consideration, in lieu of which so much was gained by us, was of vastly less value to the party seeking, than to the party granting it.

By this treaty of Washington, therefore, so far as now explained, the United States had obtained her main points in relation to the boundary, and Great Britain had secured the end aimed at by her in reference to the African slave-trade; but there was a third question, in which both countries were about equally interested, though, at the moment, it was of greater immediate consequence to Great Britain. This was the question of the extradition of fugitives from justice. Each country had been, since the foundation of the republic, an asylum for the criminals of the other; and as both spoke the same language, enjoyed nearly the same laws, and furnished about the same general advantages to their citizens, a voluntary change of residence from one to the other, the only price the worst of malefactors had to pay for security against all punishment, was too easy to admit of the administration of thorough justice in either country. The Canadas were full of American citizens, who, flying from just punishment, or escaping from the jurisdiction of our laws, had found a refuge among a kindred population, with whom they could live as happily as at home; and the United States, on the other hand, had received thousands of British subjects, who had committed crimes of the deepest dye, but who had found it more agreeable and more

easy to live and thrive among a people of their own blood on this side, than on the other side of the Atlantic. Something, therefore, which should entirely relieve the two countries of this common evil, had been contemplated for half a century; but the honor of achieving what had been so long desired, was left for Mr. Webster. The tenth article of his treaty forever settled this subject. "It is agreed," says that document, "that the United States, and her Britannic majesty shall, upon mutual requisitions by them, or their ministers, officers, or authorities, respectively made, deliver up to justice all persons who, being charged with the crime of murder, or assault with intent to commit murder, or piracy, or arson, or robbery, or forgery, or the utterance of forged papers, committed within the jurisdiction of either, shall seek an asylum, or shall be found, within the territories of the other: provided that this shall only be done upon such evidence of criminality, as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial, if the crime or offense had there been committed; and the respective judges and other magistrates of the two governments shall have power, jurisdiction and authority, upon complaint made under oath, to issue a warrant for the apprehension of the fugitive or person so charged, that he may be brought before such judges or other magistrates, respectively, to the end that the evidence of criminality may be heard and considered; and if, on such hearing, the evidence be deemed sufficient to sustain the charge, it shall be the duty of the examining judge or magistrate to certify the same to the proper executive authority, that a warrant may issue for the surrender of such fugitive. The expense of such apprehension and delivery shall be borne by the party who makes the requisition, and receives the fugitive."

In addition to the crimes here specified, England was anxious to insert that of treason, in order the more effectually to

defend herself against the revolutionists of Ireland, and their co-laborers within her immediate limits; but, had this been insisted on, it would have given a pretext to the southern sentiment of this country, which was ready to break out into the form and force of a demand, of reclaiming fugitives from a state of slavery, who might take shelter under the banner of Great Britain. These two topics, therefore, were excluded from the treaty, as likely, if inserted, to produce less good than evil; and it was well known, too, to Lord Ashburton, that Mr. Webster would not have consented to any arrangements by which British subjects, any more than American citizens, should be returned to punishment for political opinions, or slaves, who had thus secured their independence, should be again remanded to a state of bondage.

These three were the leading questions claiming the attention of the two illustrious diplomatists; but there were others, incidental to their great design of settling the prominent differences between their governments, which were of no less moment than those included in their treaty. The treaty did not allude to the case of McLeod, nor make any provision against the recurrence of such cases; but a law was passed by congress, evidently by agreement, and at the particular suggestion of Mr. Webster, by which all persons charged with an act similar to his were to be held under the jurisdiction, not of any single state, but of the United States.

The burning of the Caroline, within the limits of the United States, was also presented by Mr. Webster to Lord Ashburton as a flagrant wrong, which, though it had been passed over by the preceding administration, could no longer be overlooked; Lord Ashburton was compelled to make an apology to our government, in the name of his own, which England is not accustomed to make to the greatest powers on earth; and Mr. Webster received the apology in a dignified and yet friendly manner, at once securing respect to our national character and

rights, without needlessly wounding the pride of that government, from which the apology had come: "Understanding these principles alike," says the American secretary to the British minister, "the difference between the two governments is only whether the facts in the case of the Caroline make out a case of such necessity for the purpose of self-defence. Seeing that the transaction is not recent, having happened in the time of one of his predecessors; seeing that your lordship, in the name of your government, solemnly declares that no slight or disrespect was intended to the sovereign authority of the United States; seeing that it is acknowledged that, whether justifiable or not, there was yet a violation of the territory of the United States, and that you are instructed to say that your government considers that as a most serious occurrence; seeing, finally, that it is now admitted that an explanation and apology for this violation was due at the time; the president is content to receive these acknowledgments and assurances in the conciliatory spirit which marks your lordship's letter, and will make this subject, as a complaint of violation of territory, the topic of no further discussion between the two governments."

The doctrine of impressment, as asserted by Great Britain, which had been the leading cause in producing the late war between that country and the United States, Mr. Webster earnestly desired to bring into the negotiations between him and the British minister; but Lord Ashburton had received no instructions on that subject. Mr. Webster, however, would not let the occasion pass, without expressing to the representative of England the American view of this practice of impressment; and he accordingly addressed a letter to Lord Ashburton, in which he discussed the whole matter with his characteristic ability. Indeed, it is doubtful whether there is a state paper of greater ability in the language. In the first place, he gives a history of the subject in that style of brevity

and point so peculiar to all his narratives: "We have had several conversations," he says, "on the subject of impressment; but I do not understand that your lordship has instructions from your government to negotiate upon it; nor does the government of the United States see any utility in opening such negotiation, unless the British government is prepared to renounce the practice in all future wars.

"No cause has produced, to so great an extent, and for so long a period, disturbing and irritating influences in the political relations of the United States and England, as the impressment of seamen by British cruisers from American merchant vessels.

"From the commencement of the French revolution to the breaking out of the war between the two countries, in 1812, hardly a year elapsed without loud complaint and earnest remonstrance. A deep feeling of opposition to the right claimed, and to the practice exercised under it, and not unfrequently exercised without the least regard to what justice and humanity would have dictated, even if the right itself had been admitted, took possession of the public mind of America; and this feeling, it is well known, coöperated most powerfully with other causes, to produce the state of hostilities which ensued.

"At different periods, both before and since the war, negotiations have taken place between the two governments, with the hope of finding some means of quieting these complaints. At some times, the effectual abolition of the practice has been requested and treated of; at other times, its temporary suspension; and at other times, again, the limitation of its exercise, and some security against its enormous abuses.

"A common destiny has attended these efforts. They have all failed. The question stands at this moment where it stood fifty years ago. The nearest approach to a settlement was a convention proposed in 1803, and which had come to the point of signature, when it was broken off in consequence of the

British government insisting that the narrow seas should be expressly excepted out of the sphere over which the contemplated stipulation against impressment, should extend. The American minister, Mr. King, regarded this exception as quite inadmissible, and chose rather to abandon the negotiation than to acquiesce in the doctrine which it proposed to establish."

The claim, as set up by England, is then clearly stated: "England asserts the right of impressing British subjects, in time of war, out of neutral merchant-vessels, and of deciding, by her visiting officers who, among the crews of such merchant-vessels, are British subjects. She asserts this as a legal exercise of the prerogative of the crown, which prerogative is alleged to be founded on the English law of the perpetual and indissoluble allegiance of the subject, and his obligation, under all circumstances, and for his whole life, to render military service to the crown whenever required."

To this doctrine, the American secretary next applies a searching scrutiny, and a severe logic. He denies the English claim, openly and plainly, first, because it is extending the municipal laws of England beyond its own territorial limits, which is contrary to the universally acknowledged law of nations; secondly, because the claim is based, not on any law generally established by other nations, as a part of their own municipal system, but on the municipal law of England only; thirdly, because England, whose policy and practice it had been to encourage emigration, could not, in consistency, after she had crowded or helped off her overplus of population, turn round and reclaim the persons thus given up, and particularly when they had been received, protected and supported, in whole or in part, by the country which had furnished them an asylum; fourthly, because the claim asserts a right of searching the merchant-vessels of other countries, a claim which is in direct conflict with the political sovereignty of the nations whose vessels are thus visited; fifthly, because the practice is a serious det-

rment to commerce, by interposing an impediment to the efficient manning of commercial vessels; and finally, because experience has shown, as all future experience must show, that any attempt to carry out this doctrine, on the shipping of a neutral power, will only result, in every case, in bad feeling, in a sentiment of hostility, or in actual war: "In the early disputes between the two governments," says the secretary, "on this so long contested topic, the distinguished person, [referring to Mr. Jefferson.] to whose hands were first intrusted the seals of this department, declared that 'the simplest rule will be, that the vessel being American shall be evidence that the seamen on board are such.' Fifty years' experience, the utter failure of many negotiations, and a careful reconsideration, now had, of the whole subject, at a moment when the passions are laid, and no present interest or emergency exists to bias the judgment, have fully convinced this government that this is not only the simplest and best, but the only rule, which can be adopted and observed, consistently with the rights and honor of the United States, and the security of their citizens. That rule announces, therefore, what will hereafter be the principle maintained by their government. In every regularly documented American merchant-vessel, the crew who navigate it will find their protection in the flag which is over them."

Mr. Webster, in fact, took higher ground than Mr. Jefferson; and Lord Ashburton, by no means turning a deaf ear to the representations and demands of the American secretary, as had been done to Mr. Jefferson, assures Mr. Webster that his communication should be immediately transmitted to the British government, where it would be sure to "receive from them that deliberate attention which its importance deserves;" that "no differences have or could have arisen of late years, with respect to impressment, because the practice has, since the peace, wholly ceased, and cannot, under existing laws and regulations for manning her majesty's navy, be under the present

circumstances, renewed;" and that "it must be admitted that a serious practical question does arise, or, rather, has existed, from practices formerly attending the mode of manning the British navy in times of war."

The British envoy goes even still farther with his concessions. "The very anomalous condition of the two countries," says he, "with relation to each other, creates a serious difficulty. Our people are not distinguishable; and, owing to the peculiar habits of sailors, our vessels are very generally manned from a common stock. It is difficult, under these circumstances, to execute laws, which at times have been thought essential for the existence of the country, without risk of injury to others. The extent and importance of those injuries, however, are so formidable, that it is admitted that some remedy should, if possible, be applied; at all events, it must be fairly and honestly attempted. It is true, that during the continuance of peace, no practical grievance can arise; but it is also true that it is for that reason the proper season for the calm and deliberate consideration of an important subject. I have much reason to hope, that a satisfactory arrangement respecting it may be made, so as to set at rest all apprehension and anxiety; and I will only further repeat the assurance of the sincere disposition of my government favorably to consider all matters having for their object the promoting and maintaining undisturbed kind and friendly feelings with the United States."

Thus, the British minister at last, under the commanding influence and resistless pressure of the great mind of his American associate, virtually yields, even though not instructed by his government, the most fondly cherished and venerable maxim of the English fundamental law, to the support of which England had sacrificed blood and treasure, through a three-years war, and which she had maintained, at the cannon's mouth, since the origin of her naval supremacy, in every quarter of the globe.

Such is a brief sketch of the topics, which came before the two illustrious diplomatists, and which constitute the substance of the celebrated treaty of Washington, and the accompanying correspondence. The treaty itself, the result of four months incessant and severe labor, was communicated to the senate, in a message written by Mr. Webster in the name of Mr. Tyler, on the 11th of August, 1842; and, on motion of Mr. Rives, it was referred at once to the committee on foreign relations, who reported it back, without amendment, on the 15th of August. It was made the order of the day for the 17th; and, on that and the three following days, it was ably discussed by some of the leading statesmen of the country. On the last day of the discussion, again on motion of Mr. Rives, it was ratified by the senate by a vote of thirty-nine to nine; and the bills for carrrying it into effect, in the house and in the senate, were soon after passed, by majorities still more decisive of its popularity. In this way, the most difficult questions that had ever arisen, since the American revolution, to perplex the relations of the two great nations of modern history, were forever laid to rest; and the peace of the two countries was established on a basis of mutual concession, a basis seldom acknowledged by Great Britain in her previous connections with us, which nothing but the most urgent reasons, on the one or the other side, can at any future period disturb.

The treaty of Washington gave general satisfaction, at the time of its ratification, in every portion of the Union. East and west, north and south, it was about equally popular. On the 30th of September, 1842, by invitation of the leading citizens of Boston, Mr. Webster met his fellow-citizens in a public manner, in Faneuil Hall; and he there made a speech, in relation to such public matters as stood connected with his administration of the department of state under the presidency of General Harrison and Mr. Tyler. Mr. Jonathan Chapman, then mayor of the city, presided, and made the speech intro-

ducing Mr. Webster; and, in the course of his remarks, he gave utterance to the feelings of the citizens of Massachusetts in relation to this period of the life of the distinguished guest, as well as to his general character as the long-tried and trusted representative of his adopted state: "It is to your eminent services, sir," said the mayor, after having spoken of him as the representative and senator from that city and state, "on this broader field which you have lately occupied, that we look this day with special pride and admiration. Sir, in simple but heart-felt language, we thank you for the honorable attitude in which, so far as your department has been concerned, you have placed your country before the world. Would to God that it stood as well in other respects. In the many emergencies in our foreign relations, which the two past years have presented, you have been faithful throughout to the true interests and honor of the country, and nowhere in its archives can abler, manlier, wiser, or more dignified papers be found, than those which bear your signature.

"When the dark cloud lowered upon our neighboring frontier, when a great and fundamental law of nations had well-nigh yielded to popular passion, when a single step, only, intervened between us and a war that must have been disastrous as it would have found us in the wrong, it was your wise and energetic interference that dispelled the storm, by seeking to make us just, even under galling provocation.

"When a gasconading upstart from a neighboring republic, so called, presumed to address to this government, a communication worthy only of its owner, but which no one of his co-adjutors was bold enough to present in person, one firm and dignified look from our own secretary of state, a single sweep of his powerful arm, relieved the country from any further specimens of Mexican diplomacy.

"And, crowning act of all, when, amidst the numerous and perplexing questions which had so long disturbed the har-

mony of two nations, whom God meant should always be friends, England sent forth her ambassador of compromise and peace, you met him like a man. Subtle diplomacy and political legerdemain, you threw to the winds; and, taking only for your guides simple honesty, common sense and a christian spirit, behold, by their magic influence, there is not a cloud in the common heavens above us, but only the glad and cheering sunlight of friendship and peace.

"We have already, sir, on this same spot, expressed our approbation of this treaty with England, while paying a merited tribute of respect to the distinguished representative of that country, who was associated with you in its adjustment. We repeat to you our satisfaction with the result, and with the magnanimous spirit by which it was accomplished. We may now add, as we might not then, that we know not the other individual, within the limits of the country, who could have so successfully achieved this happy event.

"We are aware, sir, that this treaty is not yet completed, but that an important act [its ratification by England] is yet necessary for its accomplishment. We anticipate no such result, and yet it may be that still farther work is necessary for the crowning of our hopes. You have brought skill and labor, aye, and self-sacrifice too, to this great work, we know. And whatever may befall the country, in this or any other matter, we are sure that you will be ready to sacrifice everything for her good, save honor. And, on that point, amidst the perplexities of these perplexing times, we shall be at ease; for we know that he who has so nobly maintained his country's honor, may safely be trusted with his own."

Similar sentiments prevailed throughout New-England, and throughout the country, at the time of the ratification of the treaty; and they continued to prevail, in all parts of the Union, from that time forward. In the spring of 1847, on occasion of his visit to some of the southern states, Mr. Webster was

publicly received at Richmond, Charleston, Columbia, Augusta and Savannah; and in each of these places, he was complimented in the highest terms, for his distinguished services to the country, as the head of Mr. Tyler's cabinet. At Charleston, even, the chief city of South Carolina, whose peculiar politics Mr. Webster had been called upon, as a public man, to oppose through every period of his life, he was applauded for an act, or series of acts, for which his enemies could find nothing due him but applause: "As representatives of our fellow-citizens of Charleston," said the Hon. Franklin H. Elmore, chairman of the committee of arrangements, at the ceremony of the reception, "we wait upon you to tender their welcome and good wishes. Having heard that it was your intention to pass through their city, in a tour through the southern states, undertaken to obtain, by personal observation, a better knowledge of their people, pursuits and interests, the citizens of Charleston, laying aside all differences of political opinion, in a common desire to further your wishes, and to render your visit agreeable, assembled and unanimously delegated to us the pleasing duty of expressing to you the great satisfaction of thus meeting you in their homes. Although they well know there are essential differences of opinion between a great majority of them and yourself, and the great commonwealth of which you are the trusted and distinguished representative in the councils of the nation, yet, on this occasion, they remember, with far more pleasure, that, whilst at the head of the state department you watched with fidelity over other sections of the Union; that the south was not neglected, but her interests and her rights found in you an able and impartial vindicator; that you made, amongst other public services, great and successful efforts to preserve our relations in peace and harmony with the most free and powerful nation of the old world; and that, while you served the general cause of humanity and civiliza-

tion in so doing, you at the same time sustained the honor and promoted the best interests of our common country."

At Savannah he was addressed, in behalf of the citizens of Georgia, by Mr. Justice Wayne, who, after acknowledging the unrivaled talents and extraordinary services of Mr. Webster, dwelt with emphasis on the wisdom and success of his secretaryship: "Nor must we permit this occasion to pass without noticing your administration of the state department. We of the south, as a very large portion of your fellow-citizens did everywhere, recognize, in what was then done, practical ability remarkably suited to the time of action, with a comprehensive support of every American interest and right, domestic and foreign."

Such eulogiums, at the time now under consideration, met Mr. Webster everywhere. His career as a diplomatist, though brief, was pure, patriotic, brilliant. It was entirely and even wonderfully successful. It was really a wonder, among intelligent men, and always will remain a wonder, how such negotiations could be carried through, when everything, at home at least, seemed to be against him. The difficulties of his position, as secretary of state, have been quite correctly stated by the Hon. John C. Spencer: "When he first assumed the duties of the department of state, war was lowering on our horizon like a black cloud, ready to launch its thunderbolts around us. The alarming state of our foreign relations at that time is shown in the extraordinary fact, that the appropriation bills passed by congress, at the close of Mr. Van Buren's administration, contained an unusual provision, authorizing the president to transfer them to military purposes. In a few months after our guest took the matter in hand"—Mr. Webster was, at this time, partaking of a public dinner given him by the young men of Albany—"the celebrated treaty with Lord Ashburton was concluded, by which the irritating question of boundary was settled, every difficulty then known or anticipa-

ted was adjusted, among others, the detestable claim to search our vessels for British seamen was renounced."

Mr. Spencer, though accurate enough for the ordinary purposes of a speech at a public festival, speaks rather too strongly, toward the conclusion of this paragraph, for the severe demands of history. Every difficulty then known or anticipated was not adjusted. Some of them were not even brought into the negotiations. The boundary line itself was traced only to the base of the Rocky Mountains; and the whole of what was afterwards known as the Oregon question, was left where Mr. Webster found it. Still, the compliment, as a whole, was richly merited. The time had not come for the settlement of the Oregon boundary. Lord Ashburton was not prepared to yield what America demanded; and Mr. Webster was not to be satisfied with less than what was undeniably due his country. The same considerations apply equally to some other matters of minor importance not included in the treaty. The treaty, as it stands, however, contained much more than the most sanguine had expected; and when all the circumstances surrounding Mr. Webster, at the time he was at work in its negotiation, were taken into view, it was doubted, by many of the most experienced of our statesmen, whether anything at all would be accomplished.

"In connection with this treaty," continues Mr. Spencer, and with the most unqualified historical accuracy, "I take this occasion, the first that has presented itself, to relate some facts which are not generally known. The then administration had no strength in congress. It could command no support for any of its measures. This was an obstacle sufficiently formidable in itself; but Mr. Webster had to deal with a feeble and wayward president, an unfriendly senate, a hostile house of representatives, and an accomplished British diplomatist. I speak of what I personally know, when I say, that never was a negotiation surrounded with greater or more perplexing difficulties.

He had at least three parties to negotiate with instead of one, to say nothing of Massachusetts and Maine, who had to be consulted in relation to a boundary that affected their territory."

To these facts it should be added, that the consent of all the commissioners was made, by Maine and Massachusetts, the condition of their acceptance of whatever might be the result of the negotiation. The secretary, therefore, after obtaining the consent of his profound and skillful co-diplomatist, which was no easy thing where English rights were in dispute, had to obtain the unanimous approval of six gentlemen, who were appointed expressly to guard the interests of two independent states, and then procure a constitutional vote in a senate known to hold the administration, of which he was chief minister, in contempt. "You know the result," says Mr. Spencer to the young men of Albany. "Glorious as it was to our country, how glorious was it also to the pilot, that guided the ship through such difficulties!"

With whatever of glory, however, this portion of Mr. Webster's career as a statesman is justly covered, there have not been wanting, there were not wanting at the moment of his great triumph, a class of men who could not see so much honor awarded to a single individual. Aristides was banished by the populace of Athens, because his rivals could not bear to hear him everywhere called Aristides the Just. Too much reputation, it is sad to say, sometimes weakens a man's position. It was nearly so with Mr. Webster at this period of his life. At home, in Massachusetts, in Boston, he was covertly assailed by a convention of whigs, who had met to make nominations for the leading offices of the state. Without particularly mentioning Mr. Webster, who was still a member of Mr. Tyler's cabinet, and who remained in office about two years after all his associates had indignantly resigned their places, this convention published to the world a formal vote of separation, in behalf of the whig party of the commonwealth, from the president of

the United States. It was to meet the moral force of this declaration that the meeting before mentioned, held in Faneuil Hall on the 30th of September, 1842, was called; and it was at that meeting that Mr. Webster made his first defence of himself, and of his secretaryship, before the country and the world. His speech was exceedingly able; and, while it constituted a triumphant vindication of his administration, it was a most withering rebuke to the members of the convention, and to all who had sympathized with it in its attack on him: "There were many persons, in September, 1841," said the orator, "who found great fault with my remaining in the president's cabinet. You know, gentlemen, that twenty years of honest, and not altogether undistinguished service in the whig cause, did not save me from an outpouring of wrath, which seldom proceeds from whig pens and whig tongues against anybody. I am, gentlemen, a little hard to coax, but as to being driven, that is out of the question. I chose to trust my own judgment, and thinking I was at a post where I was in the service of the country, and could do it good, I staid there. And I leave it to you today to say, I leave it to my country to say, whether the country would have been better off if I had left also. I have no attachment to office. I have tasted of its sweets, but I have tasted of its bitterness. I am content with what I have achieved; I am more ready to rest satisfied with what is gained, than to run the risk of doubtful efforts for new acquisition.

"I suppose I ought to pause here. I ought, perhaps, to allude to nothing more, and I will not allude to anything further than it may be supposed to concern myself, directly or by implication. Gentlemen, and Mr. Mayor, a most respectable convention of whig delegates met in this place a few days since, and passed very important resolutions. There is no set of gentlemen in the commonwealth, so far as I know them, who have more of my respect and regard. They are whigs, but they are no better whigs than I am. They have served the

country in the whig ranks; so have I, quite as long as most of them, though perhaps with less ability and success. Their resolutions on political subjects, as representing the whigs of the state, are entitled to respect, so far as they were authorized to express opinion on those subjects, and no further. They were sent hither, as I supposed, to agree upon candidates for the offices of governor and lieutenant-governor for the support of the whigs of Massachusetts; and if they had any authority to speak in the name of the whigs of Massachusetts to any other purport or intent, I have not been informed of it. I feel very little disturbed by any of those proceedings, of whatever nature; but some of them appear to me to have been inconsiderate and hasty, and their point and bearing can hardly be mistaken. I notice among others, a declaration made, in behalf of all the whigs of this commonwealth, of 'a full and final separation from the president of the United States.' If those gentlemen saw fit to express their own sentiments to that extent, there was no objection. Whigs speak their sentiments everywhere; but whether they may assume a privilege to speak for others on a point on which those others have not given them authority, is another question. I am a whig, I always have been a whig, and I always will be one; and if there are any who would turn me out of the pale of that communion, let them see who will get out first. I am a Massachusetts whig, a Faneuil Hall whig, having breathed this air for five-and-twenty years, and meaning to breathe it, as long as my life is spared. I am ready to submit to all decisions of whig conventions on subjects on which they are authorized to make decisions; I know that great party good and great public good can only be so obtained. But it is quite another question whether a set of gentlemen, however respectable they may be as individuals, shall have the power to bind me on matters which I have not agreed to submit to their decision at all.

"'A full and final separation' is declared between the whig

party of Massachusetts and the president. That is the text: it requires a commentary. What does it mean? The president of the United States has three years of his term of office yet unexpired. Does this declaration mean, then, that during those three years all the measures of his administration are to be opposed by the great body of the whig party of Massachusetts, whether they are right or wrong? There are great public interests which require his attention. If the president of the United States should attempt, by negotiation, or by earnest and serious application to congress, to make some change in the present arrangements, such as should be of service to those interests of navigation which are concerned in the colonial trade, are the whigs of Massachusetts to give him neither aid nor succor? If the president of the United States shall direct the proper department to review the whole commercial policy of the United States, in respect of reciprocity in the indirect trade, to which so much of our tonnage is now sacrificed, if the amendment of this policy shall be undertaken by him, is there such a separation between him and the whigs of Massachusetts as shall lead them and their representatives to oppose it? Do you know (there are gentlemen now here who do know) that a large proportion, I rather think more than one half, of the carrying trade between the empire of Brazil and the United States is enjoyed by tonnage from the north of Europe, in consequence of this ill-considered principle with regard to reciprocity? You might just as well admit them into the coasting trade. By this arrangement, we take the bread out of our children's mouths and give it to strangers. I appeal to you, sir, (turning to Captain Benjamin Rich, who sat by him,) is not this true? (Mr. Rich at once replied, True!) Is every measure of this sort, for the relief of such abuses, to be rejected? Are we to suffer ourselves to remain inactive under every grievance of this kind until these three years shall expire, and through as

many more as shall pass until Providence shall bless us with more power of doing good than we have now?

"Again, there are now in this state persons employed under government, allowed to be pretty good whigs, still holding their offices; collectors, district-attorneys, postmasters, marshals. What is to become of them in this separation? Which side are they to fall? Are they to resign? or is this resolution to be held up to government as an invitation or a provocation to turn them out? Our distinguished fellow-citizen, who, with so much credit to himself and to his country, represents our government in England,—is *he* expected to come home, on this separation, and yield his place to his predecessor, or to somebody else? And in regard to the individual who addresses you,—what do his brother whigs mean to do with him? Where do they mean to place me? Generally, when a divorce takes place, the parties divide their children. I am anxious to know where, in the case of this divorce, I shall fall. This declaration announces a full and final separation between the whigs of Massachusetts and the president. If I choose to remain in the president's councils, do these gentlemen mean to say that I cease to be a Massachusetts whig? I am quite ready to put that question to the people of Massachusetts."

Subsequently, in his address to the whig convention at Andover, on the 9th of November, 1843, Mr. Webster was again called upon, as he thought, to defend himself in regard to his remaining in Mr. Tyler's cabinet, because the committee inviting him to be present had alluded to his course in this respect, though with approbation: "I am aware that there are many persons in the country," said Mr. Webster, "having feelings not unfriendly toward me, personally, and entertaining all proper respect for my public character, who yet think I ought to have left the cabinet with my colleagues. I do not complain of any

fair exercise of opinion in this respect; and if, by such persons as I have referred to, explanation be desired of any thing in the past, or any thing in my present opinions, it will be readily given. On the other hand, those who deal only in coarse vituperation, and satisfy their sense of candor and justice simply by the repetition of the charge of dereliction of duty, and infidelity to whig principles, are not entitled to the respect of an answer from me. The burning propensity to censure and reproach by which such persons seem to be actuated, would probably be somewhat rebuked, if they knew by whose advice and with whose approbation, I resolved on staying in the cabinet.

"Gentlemen, I could not but be sensible that great responsibility attached to the course which I adopted. A most unfortunate difference had broken out between the president and the whig members of congress. Much exasperation had been produced, and the whole country was in a very inflamed state. No man of sense can suppose that, without strong motives, I should wish to differ in conduct from those with whom I had long acted; and as for those persons whose charity leads them to seek for such motive in the hope of personal advantage, neither their candor nor their sagacity deserves anything but contempt. I admit gentlemen, that, if a very strong desire to be instrumental and useful in accomplishing a settlement of our difficulties with England, which had then risen to an alarming height, and appeared to be approaching a crisis—if this be a personal motive, then I confess myself to have been influenced by a personal motive. The imputation of any other personal motive, the charge of seeking any selfish advantage, I repel with utter scorn."

At a still later period, however, Mr. Webster was compelled, not to defend himself for having stayed where, alone, he could be instrumental in carrying out the great object which had caused him to prefer the department of state to that of the treasury, where, alone, he could have negotiated the treaty of

Washington, but to defend the treaty itself against that class of persons, before alluded to, who were not willing that any one man should "deserve too well of the republic." Several distinct charges were brought against the treaty, in both houses of congress, when Mr. Webster was not there, not being a member, to answer them. He was charged with having alienated a portion of our territory to a foreign government; with having proposed or accepted a line of boundary unfavorable in a military point of view, to the United States, while important advantages were secured by it to Great Britain; with having failed to settle the great and annoying question of the right of search, as set up by Great Britain in regard to vessels supposed to be engaged in the African slave-trade; and with having demanded of England no redress for the destruction of the steamboat Caroline.

It was not until four years after the ratification of the treaty, in the spring of 1846, that Mr. Webster had the opportunity of answering these charges, and of defending his reputation as a diplomatist. During the winter and spring of that year, in the discussion of the Oregon question, when Mr. Webster was again in the senate, the treaty was once more assailed in both houses of congress in a style of vituperation not at all creditable to the moderation of the assailants. Mr. Dickinson, one of the senators from New York, delivered a speech on the boundary of Oregon, in which he quoted largely and approvingly from a speech made previously by Mr. C. J. Ingersoll, a member of the lower house from Pennsylvania, who had industriously gathered up objections to the treaty, and who had particularly given currency to certain offensive and injurious rumors in relation to the affair of the Caroline. This speech of Mr. Dickinson had at least the merit of calling Mr. Webster out to make one of the ablest and most triumphant defences ever uttered since the delivery of the oration for the crown. It must ever be regarded, in the sober judgment of history, as a perfect

vindication of the treaty and of the man who acted the first part in its negotiation. Nor can it be doubted, that the perpetrators of the assault would have chosen, after all was over, never to have made it, unless the notoriety of having held combat with a man, who, in general, was prudently let alone, was a sufficient satisfaction in a contest from which no living person could reasonably have expected fame. Besides giving a most conclusive answer to every charge brought against the treaty, and against himself, Mr. Webster turned upon his assailants, and upon the party whose champions they were, and proved, to a demonstration, that, if he had not accomplished all that could have been desired, they and their party, though administering the government more than two-thirds of the time since its origin, had done literally nothing. Indeed, he showed that the two last democratic administrations had left our difficulties with Great Britain in a worse condition than they found them; and, at the conclusion of his speech, which ran through the 6th and 7th of April, he submits his whole case to the decision of mankind in a strain of dignified but humble confidence, which always characterized him on such occasions: "Mr. President, I have reached the end of these remarks, and the completion of my purpose; and I am now ready, sir, to put the question to the senate, and to the country, whether the north-eastern boundary has not been fairly and satisfactorily settled; whether proper satisfaction and apology have not been obtained for an aggression on the soil and territory of the United States; whether proper and safe stipulations have not been entered into for the fulfillment of the duty of government, and for meeting the earnest desire of the people, in the suppression of the slave-trade; whether in pursuance of these stipulations, a degree of success in the attainment of that object has not been reached, wholly unknown before; whether crimes disturbing the peace of nations have not been suppressed; whether the safety of the southern coasting trade has not been secured; whether im-

pressment has not been struck out from the list of contested questions among nations; and finally, and more than all, whether anything has been done to tarnish the luster of the American name and character?

"Mr. President, my best services, like those of every other good citizen, are due to my country; and I submit them, and their results, in all humility, to her judgment. But standing here, to-day, in the senate of the United States, and speaking in behalf of the administration of which I formed a part, and in behalf of the two houses of congress, who sustained that administration, cordially and effectually, in everything relating to this day's discussion, I am willing to appeal to the public men of the age, whether, in 1842, and in the city of Washington, something was not done for the suppression of crime, for the true exposition of the principles of public law, for the freedom and security of commerce on the ocean, and for the peace of the world?"

To this appeal, the public men of the age, on both sides of the Atlantic, have given almost a unanimous response. They have responded, that the illustrious secretary was entirely justified in remaining in the cabinet of Mr. Tyler, so long as that gentleman continued to aid him in achieving the great work for which, and for which alone, he had accepted the high post at the hands of General Harrison. They have responded, that the treaty of Washington, professedly a treaty of mutual concession, is upon the whole the wisest possible settlement of the long-standing and vexed difficulties between two great nations jealous of each other's power, and stubborn in the maintenance of their own rights. They have responded, that the man who negotiated that treaty, in the midst of obstacles which would have disheartened, and did dishearten and defeat, the ablest and most determined of our statesmen, performed a work for his country, and for his age, which no other American, then living, could have performed, or performed so well. They

have responded, in spite of the vigorous and repeated but insignificant attacks made upon it, by mere partisan politicians, that the treaty stands far above party, as it is far above assault, a monument of American diplomacy, worthy to be made, as it has been made, a model for the oldest and most experienced nations. They have responded, in a word, that the American who negotiated that instrument, had this been his only work, would have stood, in the judgment of all enlightened men, by the side of the most distinguished and successful diplomatists of ancient and of modern times; and it is probably not too much to say, that the treaty of Washington will hereafter, for generations yet to come, be looked back to as the ablest treaty ever made, in time of peace, between the United States and any other country, and as a particular star in that coronet of fame which is ever to circle the name of Daniel Webster. Immediately after its completion, at all events, it cannot be denied, that that coronet shone brighter than at any previous period of his history. The first public address that he made, after retiring from Mr. Tyler's cabinet—and he retired as soon as he could after the treaty was secured—was quoted in England, in France, and in nearly every part of Europe, as the most reliable statement of the condition and prospects of this country, in a financial point of view, to be met with; and these quotations, which embodied but the opinion of a single individual, of only one citizen of this country, who now held no office, who had no longer a control over public affiairs, who never had had the charge of his country's finances, materially affected the value of American securities in London, in Paris, and in every great commercial city of the continent. At this time of his life, indeed, not only was his word more powerful at home than that of any other American, whether in office or out of office, but it had gone out to other countries, and become the basis of the heaviest pecuniary transactions among nations, and in regions, where the names of some of the presidents of the republic had

not yet been made familiar. So true it is, that genius is loftier than place, that talents are mightier than position; for at the period now under view, the highest place, without doubt, for power and influence held by any person in this country, when all the great interests of mankind are considered, was that occupied, wherever or whatever he might be, in public or in private life, by Daniel Webster.

CHAPTER XI.

AGAIN SENATOR FROM MASSACHUSETTS.

The two years which succeeded his retirement from the cabinet of Mr. Tyler, Mr. Webster spent in the peaceful enjoyments of private life; and they must have been the happiest two years he had seen since the halcyon days of his childhood. Revered as a sage in his own country, and possessed of a fame that had gone into every great nation of the globe, he was free from the cares and turmoil of office, and could walk over his lands at Marshfield, thinking his own great thoughts with a freshness and freedom which he had scarcely ever known before. Returning from his rambles on the farm, he could go into his magnificent library, which was stored with the standard works of the most enlightened ages and countries, and lose himself in other rambles, or engage in those more fixed investigations, which constitute the most agreeable recreation and employment of the mind. To diversify these pursuits, he could go, as he did often go, to the boat-house where he kept his skiffs, and wind his way along the crooked tide-channels, that intersect his possessions, to the beach of the great ocean, where he could enjoy hours of absolute solitude, alone with nature, and give loose rein to his memory, his reason, and his fancy. As expert at fishing as any of the disciples of the great angler, and capable of teaching where Sir Izaak himself was not informed, with Captain Hewitt for helmsman, he would be out upon the streams before the sun had risen, and devote all the cool hours of morning to this amusement; and in these ways, as a needed and long-desired relaxation from the corroding anxieties of pub-

lic station, many of the bright days of the two years of the second vacation of his life were made still brighter, till he was again called to the senate of the United States by a commonwealth, which, while he lived, could not long suffer itself to be otherwise represented.

The two years, however, were not entirely devoted to recreation. As needy of rest as Mr. Webster knew himself to be, he could not satisfy himself to remain a silent spectator, when he saw a movement in inception, which he looked upon as dangerous to the peace, if not to the liberties, of the country. It was during the two years of his retirement that the project was revived of annexing Texas to the Union. Texas, having asserted and maintained her independence of Mexico by a brief but bloody revolution, had offered herself to the United States during the kindred administrations of Jackson and of Van Buren; and both of these presidents had rejected the overture on the ground, that, if accepted, it would involve us in a war with Mexico. Mr. Tyler, however, eager in some way to win back some portion of the country that had deserted him, thought he could secure the south by accepting what had been twice rejected. But there was not southern strength enough in congress, during his day, to carry the proposed measure, and it therefore remained till the expiration of Mr. Tyler's term, to be made one of the two great issues of the succeeding presidential canvass. Mr. Webster, foreseeing that this would be the case, exerted himself, while at home at Marshfield, to rouse the country against the measure; and his correspondence and conversation were the means of first waking the attention of the public to this new mode of extending the area of slavery. He met with no great success, however, in warning his fellow-citizens against the insidious undertaking. His most confidential friends, his warmest admirers, could hardly believe that there was any real danger. His opponents accused him, rather plainly, of playing the demagogue, as he was now out of office,

or of suddenly becoming an alarmist. He lived to remind both his friends and his enemies of his exertions on this subject, and of their own apathy and uncharitableness: "For a few years," says he, in his remarks on the Mexican war, delivered on the 23d of March, 1848, "I held a position in the executive administration of the government. I left the department of state in 1843, in the month of May. Within a month after another (an intelligent gentleman, for whom I cherished a high respect, and who came to a sad and untimely end) had taken my place, I had occasion to know, not officially, but from circumstances, that the annexation of Texas was taken up by Mr. Tyler's administration as an administration measure. It was pushed, pressed, insisted on; and I believe the honorable gentleman to whom I have referred had something like a passion for the accomplishment of this purpose. And I am afraid that the president of the United States at that time suffered his ardent feelings not a little to control his more prudent judgment. At any rate, I saw, in 1843, that annexation had become a purpose of the administration. I was not in congress nor in public life. But, seeing this state of things, I thought it my duty to admonish the country, so far as I could, of the existence of that purpose. There are gentlemen at the north, many of them, there are gentlemen now in the capitol, who know, that in the summer of 1843, being fully persuaded that this purpose was embraced with zeal and determination by the executive department of the government of the United States, I thought it my duty, and asked them to concur with me in the attempt, to make that purpose known to the country. I conferred with gentlemen of distinction and influence. I proposed means for exciting public attention to the question of annexation, before it should have become a party question; for I had learned that, when any topic becomes a party question, it is in vain to argue upon it.

"But the optimists, and the quietists, and those who said, All things are well, and let all things alone, discouraged, discountenanced, and repressed any such effort. The north, they said, could take care of itself; the country could take care of itself, and would not sustain Mr. Tyler in his project of annexation. When the time should come, they said, the power of the north would be felt, and would be found sufficient to resist and prevent the consummation of the measure. And I could now refer to paragraphs and articles in the most respectable and leading journals of the north, in which it was attempted to produce the impression that there was no danger; there could be no addition of new states, and men need not alarm themselves about that."

Mr. Van Buren, who had been regarded as a martyr by his party, and who had been generally looked to as the democratic candidate for the presidency, if not hostile, was cautious in regard to the project of annexation; and his caution, hitherto applauded as his leading characteristic as a statesman, had ceased to be admired by southern politicians. They wanted a man sure to sustain the doctrine of the annexation of more slave territory to the republic; consequently, at the national democratic convention of 1844, Mr. Van Buren was rejected; and the convention selected Mr. Polk as its candidate, a gentleman of great private worth and some abilities as a public man, but nearly unknown to the citizens of the country. The whigs set up Mr. Clay for the same high office; and the canvass was carried through with unusual spirit by both parties. Mr. Clay was in favor of a United States bank, but opposed to annexation. Mr. Polk was a friend to annexation, but opposed to a general bank. Mr. Clay depended on the anti-slavery vote of the north; but in this he met with utter and a disastrous disappointment. That vote, by being thrown away on a separate candidate, secured the election of Mr. Polk, secured the annexation of Texas, with her debts and slaves, and led directly forward to the war

with Mexico, to the acquisition of new and vast regions of ter ritory, to the difficulties attending the organization of those territories, even to the fugitive slave bill, which they afterwards so unanimously denounced. Mr. Webster, with his usual sagacity, foresaw all these consequences, and warned the country, and the anti-slavery part of it in particular, to avoid them; and had the latter heeded the warnings of the great statesman, and voted with him for Henry Clay against annexation, Mr. Clay would have been elected, Texas would have been kept out of the Union, the war with Mexico would not have happened, the south-western territories would not have been acquired, no compromise of 1850 would have been demanded, and no new fugitive slave law, as a part of that compromise, would have been asked for or granted.

Mr. Polk and the extension of slavery were in this way sanctioned by a constitutional majority, though a minority in fact, of the American people; and, as a matter of course, the first thing undertaken, and the first thing effected, was the annexation of the new republic. Failing to find votes enough in congress to carry annexation according to the constitution, or according to usage under the constitution, it was secured by a simple joint resolution of the two houses, a mode not contemplated by that instrument, if not in opposition to it. Mr. Webster, now once more a member of the senate, having been appointed to succeed Mr. Choate, who had been himself appointed to supply the vacancy made by Mr. Webster's accepting office under General Harrison, raised his voice, and the voice of Massachusetts, against the measure. He opposed it on the ground, that too great an expansion of our national territory, for whatever reason or by whatever means effected, would be dangerous to the perpetuity of the government; that he wished to have the United States stand as an example of a country growing greater, not by aggressions on the peaceful territories of our neighbors, but by the development of its own resources,

and by the establishment, as national characteristics, of moder ation and justice; and that, by the admission of Texas, we should be adding to the already existing inequality between the states north and south, arising from the existence of slavery and an unequal mode of popular representation founded on it: "In the next place, sir," said the senator, in giving a formal statement of this reason for his opposition, "I have to say, that while I hold, with as much integrity, I trust, and faithfulness, as any citizen of this country, to all the original arrangements and compromises under which the constitution under which we now live was adopted, I never could, and never can, persuade myself to be in favor of the admission of other states into the Union as slave states, with the inequalities which were allowed and accorded by the constitution to the slave-holding states then in existence. I do not think that the free states ever expected, or could expect, that they would be called on to admit more slave states, having the unequal advantages arising to them from the mode of apportioning representation under the existing constitution.

"Sir, I have never made an effort, and never propose to make an effort; I have never countenanced an effort, and never mean to countenance an effort, to disturb the arrangements, as originally made, by which the various states came into the Union. But I cannot avoid considering it quite a different question, when a proposition is made to admit new states, and that they be allowed to come in with the same advantages and inequalities which were agreed to in regard to the old. It may be said, that, according to the provisions of the constitution, new states are to be admitted upon the same footing as the old states. It may be so; but it does not follow at all from that provision, that every territory or portion of country may at pleasure establish slavery, and then say we will become a portion of the Union, and will bring with us the principles which we have thus adopted, and must be received on the same foot-

ing as the old states. It will always be a question whether the other states have not a right (and I think they have the clearest right) to require that the state coming into the Union should come in upon an equality; and if the existence of slavery be an impediment to coming in on an equality, then the state proposing to come in should be required to remove that inequality by abolishing slavery, or take the alternative of being excluded.

"Now, I suppose that I should be very safe in saying, that if a proposition were made to introduce from the north or the north-west territories into this Union, under circumstances which would give them an equivalent to that enjoyed by slave states,—advantage and inequality, that is to say, over the south, such as this admission gives to the south over the north,—I take it for granted that there is not a gentleman in this body from a slave-holding state that would listen for one moment to such a proposition. I therefore put my opposition, as well as on other grounds, on the political ground that it deranges the balance of the constitution, and creates inequality and unjust advantage against the north, and in favor of the slave-holding country of the south. I repeat, that if a proposition were now made for annexations from the north, and that proposition contained such a preference, such a manifest inequality, as that now before us, no one could hope that any gentleman from the southern states would hearken to it for a moment.

"It is not a subject that I mean to discuss at length. I am quite aware that there are in this chamber gentlemen representing free states, gentlemen from the north and east, who have manifested a disposition to add Texas to the Union as a slave-state, with the common inequality belonging to slave states. This is a matter for their own discretion, and judgment, and responsibility. They are in no way responsible to me for the exercise of the duties assigned them here; but I must say that I cannot but think that the time will come when they will very much doubt both the propriety and justice of the present pro-

ceeding. I cannot but think the time will come when all will be convinced that there is no reason, political or moral, for increasing the number of the states, and increasing, at the same time, the obvious inequality which exists in the representation of the people in congress by extending slavery and slave representation.

"On looking at the proposition further, I find that it imposes restraints upon the legislature of the state as to the manner in which it shall proceed (in case of a desire to proceed at all) in order to the abolition of slavery. I have perused that part of the constitution of Texas, and, if I understand it, the legislature is restrained from abolishing slavery at any time, except on two conditions; one, the consent of every master, and the other, the payment of compensation. Now I think that a constitution thus formed ties up the hands of the legislature effectually against any movement, under any state of circumstances, with a view to abolish slavery; because, if anything is to be done, it must be done within the state by general law, and such a thing as the consent of every master cannot be obtained; though I do not say that there may not be an inherent power in the people of Texas to alter the constitution, if they should be inclined to relieve themselves hereafter from the restraint under which they labor. But I speak of the constitution now presented to us.

"Mr. President, I was not in congress at the last session, and of course had no opportunity to take part in the debates upon this question; nor have I before been called upon to discharge a public trust in regard to it. I certainly did, as a private citizen, entertain a strong feeling that, if Texas were to be brought into the Union at all, she ought to be brought in by diplomatic arrangement, sanctioned by treaty. But it has been decided otherwise by both houses of congress; and, whatever my own opinions may be, I know that many who coincided with me feel themselves, nevertheless, bound by the decision of all

branches of the government. My own opinion and judgment have not been at all shaken by anything I have heard. And now, not having been a member of the government, and having, of course, taken no official part in the measure, and as it has now come to be completed, I have believed that I should best discharge my own duty, and fulfill the expectations of those who placed me here, by giving this expression of their most decided, unequivocal, and unanimous dissent and protest; and stating, as I have now stated, the reasons which have impelled me to withhold my vote.

"I agree with the unanimous opinion of the legislature of Massachusetts; I agree with the great mass of her people; I reäffirm what I have said and written during the last eight years, at various times, against this annexation. I here record my own dissent and opposition; and I here express and place on record, also, the dissent and protest of the state of Massachusetts."

The joint resolution, however, which had been originally reported to the house by Mr. Douglas, representative from the state of Illinois, passed; and the very next event in the history of the country, as had been foreseen and foretold by Mr. Webster, was a war with Mexico. Having labored to bring the republic of Texas into the confederacy, as well as for official reasons, Mr. Polk felt bound to defend the new state against the Mexican forces, which were hovering along its south-western border. General Taylor, with a small army, was at once sent to Texas for this purpose. He was ordered to take up his position between the Rio del Norte and the Neuces. Here, in spite of his uncommon abilities as a commander, he was soon threatened with destruction; and the president was compelled, in all haste, to send on reënforcements. This, therefore, without any declaration by congress, and in a manner rendering it impossible for congress to interfere, was the origin of the war.

The war having been begun, and the lives of American sol-

diers and American citizens being in great hazard, Mr. Webster could not do otherwise than vote for all the supplies demanded to carry the war on, till peace could be honorably concluded. The same principle by which he had been actuated in 1812 again controlled his course in 1845; and he carried his patriotism, or moderation, to such a pitch, that he permitted his son Edward, a very promising young man, to enter the army as a volunteer, and sacrifice his life before the walls of Mexico. Mr. Webster never failed to submit with grace, and, if possible, to use with advantage, what he could not prevent.

While the war with Mexico was in progress, the president raised another question, which, almost at once, threatened to excite hostilities between us and England. Mr. Polk, whose supporters in the canvass had claimed the whole of Oregon, and made 54 degrees 40 minutes a watchword of the party, and a by-word with the people, in his inaugural address, and afterwards in his first and second annual messages to congress, had stated that our right to the whole of Oregon "was clear and unquestionable." This opinion, of course, was given in his official character as president of the United States; and accordingly, in the first of the above messages, he recommended that the United States should give notice to Great Britain of their intention "to terminate the convention between the two countries," concluded in 1827, for the joint occupation of the territory. A joint resolution was, therefore, introduced into the senate by Mr. Allen, of Ohio, and referred to the committee on foreign relations, who reported it back with amendments; and while the second time before the senate, it received several additional amendments and alterations. Fearing that an unqualified notice of separation would needlessly alarm the public, and embarrass the settlement of the question, Mr. Crittenden, of Kentucky, moved a new amendment, the purport of which was, that, in order to afford ample time for the amicable

adjustment of the question, said notice ought not to be given till after the termination of the current session of congress. On this amendment, Mr. Webster addressed the senate, and this speech, delivered on the 24th of February, 1846, was one of the very few which he was ever known to *read* in congress. He took the position, in opposition to the extreme language of the president, that if the Oregon dispute was ever settled, it would be settled on the forty-ninth degree of latitude. This idea was immediately scouted by the leading friends of the administration, in both houses; but the result justified the prediction, and illustrated the sagacity of Mr. Webster. The forty-ninth parallel was accepted by that very president, who had asserted our right to the whole of Oregon, in such emphatic terms, "as clear and unquestionable;" and after all was over, and over to the satisfaction of the country, Mr. Webster could not fail to draw some amusement from the fact, that the very persons and the party who, in 1842 and afterwards, had threatened him with a political crucifixion for having alienated a worthless strip of "disputed territory," which he and they had always looked upon not only as disputed, but as doubtful, should now surrender to the same government a section of country, to which our title was asserted by them as incontestable, which, in width, would cover the space lying between Lake Erie and North Carolina, and in length would extend nearly or quite all the way from Massachusetts to the Mississippi!

However inconsistent for Mr. Polk to settle the Oregon controversy in this way, in the face of his extreme and uncompromising assertions, the same settlement would have been proper enough for Mr. Webster, who had never taken the untenable position. The truth is, indeed, this is the very settlement which he was prepared to offer to Lord Ashburton, and which, had the noble diplomatist been instructed by his government upon this subject, would undoubtedly have constituted a portion of the treaty of Washington. In the absence of such instructions

nothing could be accomplished, and nothing was accomplished, at that time, by Mr. Webster, in the arrangement of this question; but the merit of the settlement, nevertheless, when the settlement was in fact made, belonged, after all, not to Mr. Polk, nor to his cabinet, but to Mr. Webster, who, doubtless, would never have taken the pains to bring out the evidence of his services, in this particular, to the peace of nations and the best good of the human family. The evidence, however, came forth in an accidental manner. The London Examiner, in an article touching the relations of Great Britain and the United States, furnished the proof that it was Mr. Webster, and not the current administration, that was chiefly instrumental in bringing this vexed controversy to a peaceful and happy termination: "In reply to a question put to him in reference to the present war establishments of this country, and the propriety of applying the principle of arbitration in the settlement of disputes arising among nations, Mr. McGregor, one of the candidates for the representation of Glasgow, took occasion to narrate the following very important and remarkable anecdote, in connection with our recent, but now happily terminated differences with the United States on the Oregon question. At the time our embassador at Washington, the Hon. Mr. Pakenham, refused to negotiate on the forty-ninth parallel of north latitude as the basis of a treaty, and when, by that refusal, the danger of a rupture between Great Britain and America became really imminent, Mr. Daniel Webster, formerly secretary of state to the American government, wrote a letter to Mr. McGregor, in which he strongly deprecated Mr. Pakenham's conduct, which, if persisted in, and adopted at home, would, to a certainty, embroil the two countries, and suggested an equitable compromise, taking the forty-ninth parallel as the basis of an adjustment. Mr. McGregor agreeing entirely with Mr. Webster in the propriety of a mutual giving and taking to avoid a rupture, and the more especially as the whole territory

in dispute was not worth £20,000 to either power, while the preparations alone for a war would cost a great deal more before the parties could come into actual conflict, communicated the contents of Mr. Webster's letter to Lord John Russell, who at the time was living in the neighborhood of Edinburgh, and, in reply, received a letter from Lord John, in which he stated his entire accordance with the proposal recommended by Mr. Webster, and approved of by Mr. McGregor, and requested the latter, as he (Lord John) was not in a position to do it himself, to intimate his opinion to Lord Aberdeen. Mr. McGregor, through Lord Canning, under-secretary for the foreign department, did so, and the result was, that the first packet that left England carried out to America the proposal, in accordance with the communication already referred to, on which the treaty of Oregon was happily concluded."

While the war with Mexico was in progress, and while it was becoming more and more expensive, as well as more and more doubtful in regard to its termination, the administration proposed to amend the tariff of 1842, which had been proposed by congress, and accepted by the people, as a basis for the business of the country. Once more, indeed, every class of business, and every interest of every citizen of the republic, was to be unsettled for the sake of an experiment, for a long time the subject of party speculation, but never before tried in practice. Not only was the tariff, as a tariff, to be tampered with, but the principle of raising revenue, the principle on which all tariffs are based, was to undergo a sudden alteration. All former bills of tariff, since the beginning of the government, had been what political economists call specific, which lay certain duties on certain articles, according to their character and their relations, individually, to the business of the country. The new bill was to lay duties on all imports, with no view to the protection of any business or interest of the country, whether agricultural, commercial, or manufacturing, but with a

sole regard to the market value of the article imported. All former bills had aimed at both revenue and protection; and they had taken such shapes as would raise the most money for the treasury, while they extended the greatest amount of encouragement to labor, thus making common cause between the government of the people and the people of the government. The new bill proposed simply to raise money for the government, without any respect to the interests of the people. This sudden and radical change of policy, it proposed to make at a time when the people were already taxed to the amount of about half a million of dollars per day to carry on a war not of their own undertaking, but forced upon them by the influence, some would say the intrigues, of government. The new bill was, therefore, looked upon, by every unprejudiced mind, as an untried and doubtful experiment, particularly unacceptable at a time when the government and the people needed a certain reliance for the exigencies of the moment, and when the business of all classes could, with no safety, suffer a shock so sudden and so fundamental. This was the light in which Mr. Webster held it; and accordingly, in a speech of great length, delivered on the 26th and 27th of July, 1846, he met it with a steadfast and sturdy opposition. As his main positions, he argued that the new bill was unjust and impolitic in itself; that it was exceedingly unfriendly to commerce; and that it would prove deleterious to the labor, and to all the laboring and producing classes, of the country. His speech was learned, eloquent, and able; but, as an opposition to the new measure, which was supported entirely on party grounds, it was unsuccessful. The bill, which introduced into our financial system the *ad valorem* principle of indirect taxation, passed by a strong majority, and was at once received as the established policy of the democratic party.

On the first day of August, 1846, Mr. Webster again addressed the senate on the bill "to provide for the better organ-

ization of the treasury, and for the collection, safe-keeping, transfer and disbursement of the public revenue," which was only the revival of the old sub-treasury system. That system, brought forward by Mr. Van Buren at the extra session of 1837, had been twice defeated in succession, but it had received a majority, and become a law, in 1840, to be repealed and abandoned in less than one year afterwards. Now, in 1846, it was reproduced in a new form; and, as before, it encountered the opposition of Mr. Webster. His remarks, though brief, were powerful and pertinent; but the administration was more powerful; and his voice, equal to many voices in debate, was only one when the question came to the determination of a vote.

In the spring of 1847, accompanied by his family, Mr. Webster took occasion, in the recess of congress, to travel somewhat extensively through the southern states. It was his plan to proceed from Boston to Washington, from Washington southward along the Atlantic coast to New Orleans, from New Orleans up the Mississippi, and the Ohio, and over the rich prairies and rolling uplands of that interior section to the lakes, and thence homeward through New York. Before leaving home, he resolved to have as little to do with politics as possible; and he must have been sincere in this intention; for, had this tour of sight-seeing, as is frequently the case with politicians, been a political journey in disguise, he certainly could not have selected a more unpropitious field for the gathering of laurels. He had never been a southern man, nor a northern man of southern principles, but an American, with the broad views and comprehensive feelings of an American, with too much self-respect, too much pride of character, to stoop after popular favor, whether from the north or south, from the east or west. His principles, however, had led him, through his entire political career, to take a position against the propagation and increase of slavery; and this, in spite of his emi-

nent abilities, had caused him to be looked upon, by southern politicians, with general disfavor, and sometimes with disrespect. The people, however, of every section of the country, will generally follow their own instincts, their own intuitions, their own judgments, without too much deference to the dictation of those whom their own favor has elevated to a superior rank. Mr. Webster found it so on his journey to the south. The citizens of every village, town and city, through which he passed, or in which he stopped, rushed together in vast crowds to pay their warmest admiration to a man, who, though not of their particular family, belonged to the great American brotherhood, of which they everywhere acknowledged him to be the most distinguished living ornament. Not only did Mr. Webster's visit give the southerners occasion to manifest their admiration of an American worthy of their regard, but it served to touch a chord, which, perhaps, is more delicate and more responsive than any other in the heart of a true southern gentleman. His visit touched upon their magnanimity. Wherever he went, the citizens of the south saw a man, who, though known to them as their strongest and sturdiest antagonist, had dared to trust himself, and his comfort, and his reputation for a season, with those of whom he had bought no favor. This mark of confidence is always enough for a genuine southerner. If his worst enemy comes to his door in this spirit, he springs to his feet with a most hearty welcome; and he will shower him with attentions, heartfelt and heart-moving, so long as such an act of confidence may be continued. This generous trait of character greatly impressed the equally noble disposition of Mr. Webster. After his return, he frequently made it the subject of his eulogy; and he has often said that, in this peculiar magnanimity, he never saw a people more remarkable than those he met with during his brief visit to the south. With all his acknowledgment, however, it must still be remembered that the homage was paid, not to an individual having no per-

sonal claims for such distinction, but to an American renowned the world over for the originality and grandeur of his genius. Whatever the motives, nevertheless, there can be no doubt that Mr. Webster was everywhere received with as much ceremony, with as much eclat, with as much applause, in all the large places which he visited, as he ever had been in New York, or in Boston; and had not sickness stopped him at Savannah, and sent him homeward before his time, it can scarcely be conjectured with what swelling triumphs he would have been greeted, as he had wound his way up the great western rivers, through the midst of a mighty population capable of appreciating real greatness, and able, as it is always willing, to give it an appropriate welcome.

On his return to congress, after spending a short period in the quiet of his home, the first thing that met him in the senate was the war with Mexico, at that time the engrossing topic throughout the country. On former occasions, he had spoken of the war in the presence of the senate. His first speech on that subject had been delivered as early as the 24th of June, 1846, on a bill whose object was to organize the volunteer force which the war had invited into the service of the United States. In the month of March, 1847, he had also spoken briefly upon reading to the senate certain resolutions of the legislature of Massachusetts, in which the war had been unanimously condemned. Now, during the session of 1847–8, while the same subject occupied every tongue and pen in the country usually devoted to public matters, he remained a silent observer, till the 17th of March, 1848, when he again addressed the senate on the so-called Ten Regiment bill; but it was not until the 23d of March, of this year, that he made an elaborate and full speech on this engrossing subject. That speech, clear, strong and conclusive in itself, was made under circumstances adapted to rouse the orator more profoundly than he was generally accustomed to be roused. On the 2d of February preceding, a

"treaty of peace, friendship, limits and settlement, between the United States of America and the Mexican Republic," had been signed at Guadalupe Hidalgo. On the 16th of March succeeding, this treaty, with the advice and consent of the senate, had been ratified by the president of the United States, and sent back to Mexico in charge of two ministers empowered to explain it to the government and people of that republic. Nevertheless, after the final ratification of the treaty, when peace existed between the United States and Mexico, congress was called upon, by a special message from the president, to enact measures more formidable than had been found necessary during the progress of the war. It was called upon to raise and send into immediate service an additional force of thirty thousand men, and to make a loan of sixteen millions of dollars to defray the opening expenses of these troops. This, as a peace measure, called for in a time of peace, was quite too belligerent for Mr. Webster. It looked to him like the beginning of a standing army. The object of this great force, it was said, was to take and keep possession of those vast acquisitions of territory, which the war with Mexico had put under our temporary dominion. It was not to keep them against the Mexican government; for that government, if such a thing existed, had consented, formally and legally in the treaty, to those immense acquisitions. It was to keep them against the people of Mexico, who were outraged more at the imbecility of their own government, than at the hungry and unscrupulous ambition manifested by this country. It was to be, not in figure of speech, but in fact, a standing army in time of peace, whose sole object was, as expressed by Mr. Cass, the champion of these measures in the senate, to frighten our fellow-citizens of the conquered territories into submission, and compel them to become peaceable, though unwilling, citizens of the great republic.

To this entire system of measures, Mr. Webster stood up

in determined opposition. He could see no necessity for them. If the people of the conquered provinces did not choose to become citizens of this country, he did not see the justice of compelling them, by an armed soldiery to be conveniently posted throughout their country. Such a course seemed to him inconsistent with the precepts and practice of our hitherto free government. It looked to him like governing by military power, as in Russia and other despotic countries, rather than by public opinion, as this government is professedly administered. With the inauguration of such a system, he justly thought, began, or rather was perfected, the government of the bayonet, which, from Mexico, might be imported back into the older states of the confederation. He did not forget, probably, that it was Cæsar's army of occupation, sent into Spain to awe the inhabitants into a quiet submission to the military sway of Rome, which, in due course of events, returned to take command of the capital, and set up a martial government that began with the fall of Roman liberty, and ended with the dismemberment and prostration of the empire.

There was another reason for his opposition, which he might have forcibly illustrated, also, from the example of ancient Rome. The treaty of Guadalupe Hidalgo, which this system of military measures was to enforce, was to confirm a vast and dangerous expansion of our territory, was to bring in immeasurable tracts of land, on our southern and south-western border, into which slavery was to be admitted, greatly to the hazard of the integrity of the nation, or excluded by a congressional contest, which might shake the republic to its foundations. The dominant party, however, backed by the army, and by new levies of troops, and by the contemplated loan of a great sum of money, which, in a time of peace, they were to use among the unwilling citizens of Mexico, carried all their measures, brought in the conquered provinces, kept them quiet by the combined power of gunpowder and of gold, and revived in congress

and in the country, the old contest, in a more fearful shape than had ever before existed, respecting slavery. Mr. Webster expressed a readiness to vote for the treaty, provided that part of it should be stricken out, which ceded to us New Mexico and California; but to the acquisition of any farther territory, by whatever means, he set himself in an immovable position of hostility: "I think I see that in progress," said the senator, "which will disfigure and deform the constitution. While these territories remain territories, they will be a trouble and an annoyance; they will draw after them vast expenses; they will probably require as many troops as we have maintained for the last twenty years, to defend them against the Indian tribes. We must maintain an army at that immense distance. When they shall become states, they will be still more likely to give us trouble.

"I think I see a course adopted, which is likely to turn the constitution of the land into a deformed monster, into a curse, rather than a blessing; in fact, a frame of an unequal government, not founded on popular representation, but on the grossest inequality; and I think that this process will go on, or that there is *danger* that it will go on, until this Union shall fall to pieces. I resist it, to-day and always! Whoever falters, or whoever flies, I continue the contest!

"I know, sir, that all the portents are discouraging. Would to God I could auspicate good influences! Would to God that those who think with me, and myself, could hope for stronger support! Would that we could stand where we desire to stand! I see the signs are sinister. But with few, or alone, my position is fixed. If there were time, I would gladly awaken the country. I believe the country might be awakened, although it may be too late. For myself, supported or unsupported, by the blessing of God, I shall do my duty. I see well enough all the adverse indications. But I am sustained by a deep and conscientious sense of duty; and while supported

by that feeling, and while such great interests are at stake, I defy auguries, and ask no omens but my country's cause!"

There are some portions of this speech, which, though perfectly logical at the moment, will cause a smile at the present time. An argument may be good to-day, but to-morrow, by the development of some previously unknown fact, or by the mysterious orderings of divine providence, may be simply ludicrous. For the first time, and for the last time, so far as is now apparent, this was about to be the case with a portion of the argument advanced by Mr. Webster. Among other reasons for opposing the singular measures of the administration, in relation to the conquest and acquisition of a part of Mexico, in all of which he exhibited his usual knowledge, tact and force of reasoning, he went on to show the absolute worthlessness of the newly-acquired provinces: "There are some things," says the orator, "one can argue against with temper, and submit to, if overruled, without mortification. There are other things that seem to affect one's consciousness of being a sensible man, and to imply a disposition to impose upon his common sense. And of this class of topics, or pretensions, I have never heard of anything, and I cannot conceive of anything, more ridiculous in itself, more absurd, and more affrontive to all sober judgment, than the cry that we are getting indemnity by the acquisition of New Mexico and California. I hold they are not worth a dollar; and we pay for them vast sums of money!"

In another part of the speech, after proving by good authority all he desired to prove in relation to New Mexico, he broke out into one of his strains of sarcasm, which produced quite a scene of merriment in the senate, in which his opponents joined as heartily as his warmest friends: "New Mexico is secluded, isolated, a place by itself, in the midst and at the foot of vast mountains, five hundred miles from the settled part of Texas, and as far from anywhere else! It does not belong anywhere! It has no *belongings* about it! At this moment it is absolutely

more retired and shut out from communication with the civilized world than Hawaii or any of the other islands of the Pacific sea. In seclusion and remoteness, New Mexico may press hard on the character and condition of Typee. And its people are infinitely less elevated, in morals and condition, than the people of the Sandwich Islands. We had much better have senators from Oahu. They are far less intelligent than the better class of our Indian neighbors. Commend me to the Cherokees, to the Choctaws, if you please, speak of the Pawnees, of the Snakes, the Flatfeet, of anything but the *digging* Indians, and I will be satisfied not to take the people of New Mexico." For half an hour, the senator proceeded in his most facetious humor, describing the soil and population of that province, telling the senate that he was endeavoring to give them a suitable introduction to their "*respected* and *beloved fellow-citizens*" of New Mexico!

And he had but little better opinion of the sister province: "How is it," he asks, "with California? We propose to take California, from the forty-second degree of north latitude down to the thirty-second. We propose to take ten degrees along the coast of the Pacific. Scattered along the coast for that great distance are settlements, and villages, and posts; and in the rear, all is wilderness, and barrenness, and Indian country. But *if*, just about San Francisco, and perhaps Monterey, emigrants enough should settle to make up one state, then the people five hundred miles off would have another state."

The existence of such a state, so far from the center of the republic, Mr. Webster thought would prove disastrous to the unity and harmony of the country: "In the little part which I have acted in public life, it has been my purpose to maintain the people of the United States, what the constitution designed to make them, *one people*, one in interest, one in character, and one in political feeling. If we depart from that, we break it all up. What sympathy can there be between the people of

Mexico and California and the inhabitants of the valley of the Mississippi and the eastern states in the choice of a president? Do they know the same man? Do they concur in any general constitutional principles? Not at all!"

All this reasoning, it is evident, is at this day as valid respecting one of the two provinces, as it was when delivered, and it would be as valid of the other, had not the discovery of the mines, of which, in 1848, there was not the shadow of a dream, changed the current of nearly every pecuniary interest of the country. In ten years, in one year, it may not continue to be valid of New Mexico. Some discovery may be made there, some rich mine of gold, or silver, or coal, or iron, may come to light, which will cause thousands to rush to it, as to another El Dorado, in the pursuit of wealth. At the foot of some of its lofty mountains, or on the surface of some of its barren plains, healing springs may be found to issue, which, in reality or in fame, shall surpass all the health-giving fountains of the world; and the air of the climate, cooled by the mountain peaks, and dried by the immense plains of chapparal and sand, may be found to be so balmy, that a region now utterly desolate shall at some future day become a common watering-place for the wealthiest of the race, whose residence and whose visits shall build up a hundred cities, and make gold and silver as plenty as the dust upon their streets. All this, however, would not destroy the logical force of Mr. Webster's reasoning. A similar fortune, on the part of California, has not marred the argument which no man could answer when it was delivered. Smile as we will, and smile as we may, on reading such passges as have been quoted, the smile will not change the moral character of the war with Mexico, or abate the propriety of Mr. Webster's opposition to it, until the sophism is established as a law in logic, that the end justifies the means.

In spite of the opposition of Mr. Webster, and in spite of the

opposition of other able and patriotic men, the territories of New Mexico and California were acquired in the manner heretofore described; and, as Mr. Webster forewarned the senate and the country, the first question that arose threatened a dissolution of the Union. These vast tracts of unoccupied territory being once upon our hands, congress could not agree as to the disposition that should be made of them; and they became at once the subjects of a violent controversy between the north and the south. Three views prevailed in congress. The first, that the whole territory should be open to slavery, was advocated strenuously by the southern democrats, who were led in this opinion by Mr. Calhoun. The second, that the whole territory should be shut against slavery, was maintained by the northern whigs, and by several southern whigs, at the head of which anti-slavery party stood Mr. Webster. The third party, which was started as a sort of compromise between the two extremes, proposed to divide the territory between slavery and freedom by extending the line of the Missouri compromise to the Pacific; and this party was under the leadership of Mr. Douglas.

The discussion of these several questions did not come up in congress directly on their own merits, but indirectly, as is apt to be the case in the settlement of vexed disputes, on the bill for the organization of a territorial government for Oregon. A bill for such an organization passed the house during the first session of the thirtieth congress; and when it came to the senate, an amendment was offered by Mr. Douglas, applying to it, and indirectly to the newly acquired territories, the doctrine of the Missouri compromise, which gave the whole of California and New Mexico, below the parallel of 36 degrees 30 minutes, to slavery. An animated debate arose upon this amendment, which, in spite of a steady opposition on the part of Mr. Webster, passed the senate by a strict party vote. On the 10th of August, 1848, the bill came back from the lower house, with the non-concurrence of that body in the amendment of

Mr. Douglas. The question was now, whether the senate would recede; and on this question Mr. Webster delivered his speech of the 12th of August, on the exclusion of slavery from the territories, the most elaborate of all his speeches upon this subject. Of course, he urged the senate to recede; and he did so partly because he thought the amendment unparliamentary, having nothing to do with the bill to which it was attached. But his strongest objections to the amendment were based on its political and moral principle. He was opposed to giving any more ground to slavery. He maintained, that the slavery permitted by the constitution in some of the southern states is a peculiar slavery, the worst that ever existed in any age or country; that the north, trusting to the supposed intention of the south, professed at the time of framing and adopting the constitution, of effecting the gradual abolition of slavery in the southern states, as opportunity might offer, had consented to the implied recognition of slavery in that instrument only in view of such profession; that this new zeal of sustaining and extending slavery was not dreamed of either by the northern or southern members of the convention which framed the constitution; that, contrary to all expectation, and to the spirit of the compromise then entered into, immense regions of territory had been added to the Union, on our southern border, under the lead of southern politicians, out of which five slave states had been created, while not one free state had been then permitted to come into the confederacy in the way of compensation; and that for these, as well as for other reasons, not another foot of territory ought to be given up to this devouring ambition of the south: "I have said," remarked the senator in the conclusion of his speech, "that I shall consent to no extension of the area of slavery upon this continent, nor to any increase of slave representation in the other house of congress. I have now stated my reasons for my conduct and my vote. We of the north have already gone, in this respect, far beyond all that

any southern man could have expected, or did expect, at the time of the adoption of the constitution. I repeat the statement of the fact of the creation of five new slaveholding states out of newly-acquired territory. We have done that which, if those who framed the constitution had foreseen, they never would have agreed to slave represenation. We have yielded thus far; and we have now in the house of representatives twenty persons voting upon this very question, and upon all other questions, who are there only in virtue of the representation of slaves.

"Let me conclude, therefore, by remarking, that, while I am willing to present this as showing my own judgment and position, in regard to this case,—and I beg it to be understood that I am speaking for no other than myself—and while I am willing to offer it to the world as my own justification, I rest on these propositions: First, that when the constitution was adopted, nobody looked for any new acquisition of territory to be formed into slave holding states. Secondly, that the principles of the constitution prohibited, and were intended to prohibit, and should be construed to prohibit, all interference of the general government with slavery as it existed and as it still exists in the states. And then, looking to the operation of these new acquisitions, which have in this great degree had the effect of strengthening that interest in the south by the addition of these five states, I feel that there is nothing unjust, nothing of which any honest man can complain, if he is intelligent; and I feel that there is nothing with which the civilized world, if they take notice of so humble a person as myself, will reproach me, when I say, as I said the other day, that I have made up my mind, for one, that under no circumstances will I consent to the further extension of the area of slavery in the United States, or to the further increase of slave representation in the house of representatives."

So violent was the contest on this occasion, between the ad-

vocates of freedom and the propagandists of slavery, that the debate marked on the journals as occurring on the 12th of August, which was on Saturday, actually extended to ten o'clock on Sunday morning. Mr. Webster had spoken frequently on the subject, but never, perhaps, with so positive a determination. His exertions had their success. The senate receded from the amendment of Mr. Douglas; no part of the new territory was given up to slavery; but another bill, immediately upon the final action of the senate on this last question, came to it from the lower house, providing for the organization of territorial governments for New Mexico and California, with the anti-slavery or Wilmot proviso appended to it. This was rejected by the senate; and, in consequence, these two territories were left without a proper government till the second session of this congress, when it was moved by Mr. Walker, of Wisconsin, to extend the revenue laws, and all other laws of the United States applicable to their case, to California and New Mexico. This motion was attached to the general appropriation bill; and when it came to the lower house, it was there amended by the addition again of the anti-slavery proviso, which was again rejected in the senate. The controversy proceeded, with such intemperate zeal, that the senate came near to a dissolution; and it is stated by Mr. Everett, on authority to him satisfactory, that nothing but the cool temper and commanding influence of Mr. Webster saved that body from this catastrophe and the country from dishonor. He was the only man, it seems, who, after warning congress of the hazard to which, by their war and their acquisitions, they were exposing the republic, could save the republic from the ruin when it was about to fall upon us.

It was entirely natural, as actually happened, that the people of the United States, alarmed at this condition of things in congress, and knowing its origin and paternity, should begin to waver in their attachment to a party which had reduced the

country to such a scene of discord. They began to be alarmed for the safety of our institutions and for the perpetuity of the government. They began to wish for a change in the administration; and, as Providence had ordered it, it so occurred, that just as this crisis was coming on, the man who had been sent to Mexico to carry forward the designs of Mr. Polk's cabinet, General Zachary Taylor, had been everywhere followed by such splendid fortunes, as a military chieftain, as to secure his nomination for the presidency by acclamation. The nomination was made, in the first instance, not by a regular convention of the people, according to established custom, but by the soldiers under his command after the victory of Palo Alto, and on the blood-stained battle-field of Buena Vista. It was confirmed, of course, in the convention afterwards held in Philadelphia, to the exclusion of several illustrious statesmen, who were regarded by every citizen, in his sober moments, as more worthy of the honor. Men of cool judgment, and of sufficient knowledge of the past to give them the probabilities of the future, demurred at this nomination; and among this class of citizens, in spite of the delicacy of the case, was Mr. Webster. In a speech made at Marshfield, to his friends and neighbors, he was free to give his opinion plainly of the new candidate. He regarded him as an honest, upright, good citizen. He acknowledged him to be in principle a sound whig. His only title to reputation, however, Mr. Webster set down as a mere military title; and he did not think well of going to the army, and especially to the army of Mexico, for a candidate for the first office of the country. Washington and Harrison, he admitted, had been soldiers; but they had also been equally acquainted with civil matters. This Mexican army was an army of invasion. It was such an army as military Rome, after her military despotism was established, used to send out to surrounding countries; and the successful commander had been nominated, just as the successful Roman generals used to

be nominated, away on the battle-field, and sent back to take possession of the capital of their country. The military mind, and the habits of a military mind, were such as to give an able general no popularity with Mr. Webster for the first position in the management of civil business. "The military mind," says the candid Tacitus, though speaking of his relative and hero, Agricola, "trained up in the school of war, is generally supposed to want the power of nice discrimination. The jurisdiction of the camp is little solicitous about forms and subtle reasoning; military law is blunt and summary; and, where the sword resolves all difficulties, the refined discussions of the forum are never practiced." That is, just so far as the military manner is introduced into the administration of a government, so far personal authority takes the place of counsel and deliberation, and just so far the practice, and gradually the liberty, of speech is laid aside. Such was the opinion of the first minds of the country at the time of this nomination. Such had been the experience of the country under the presidency of General Jackson, who, like a true military man, "took the responsibility," as his phrase was, of all the measures of his administration. In other words, the measures were all his own, proceeding solely and authoritatively from his own volition. For this very reason, in part, plainly stated and everywhere repeated, the whig party had twice opposed the election of General Jackson; and Mr. Webster, having honestly entertained his objections to a military chieftain at those times, and having often publicly expressed them, could not now turn round upon himself, with the levity and facility of a third-rate politician, and receive as his first choice a man whose only distinction had been gained on the field of battle. To preserve his consistency, on this point, he expressed his dissent to the nomination; but to maintain the same virtue, as the member of a party pledged to support regular nominations, he finally yielded to the

decision of the convention and advocated the election of General Taylor.

In the summer and autumn of the year 1849, an event took place in California, which took the country, and especially the southern states, by as much surprise, as had the first discovery of the gold-fields in the valley of the Sacramento. That event was the erection of a state, and the adoption of a constitution, without the aid or even knowledge of the federal congress, by the people of California, now sufficiently numerous for the purpose, into which they had incorporated the anti-slavery proviso, which had come so near causing a dissolution of congress and the Union; and, before the people this side the mountains had fairly ascertained that any such thing was to be undertaken, the representatives of California, with their constitution in their hands, stood at the doors of congress, seeking, if it would not be more proper to say demanding, entrance. To the southern democratic party, who had used their united influence to bring the country into the war with Mexico, for the purpose of adding more slave territory to the republic, this occurrence came as a sad and provoking disappointment; and it was a matter of almost equal regret to that part of the northern democracy, headed by Mr. Douglas, who had undertaken to satisfy the south, and thereby promote his own aspirations, by running the Missouri line of compromise westward to the Pacific. California had cut off the speculations and designs of both portions of that party by this unexpected act; and the election of General Taylor, who was supposed to be in favor of the Californians, and opposed to the further extension of slavery, served to complete the mortification and stir up the passions of both sections, and of every individual, who had intended to propagate this species of oppression by this war with a tottering republic. The position of California, her bold demand to be admitted as a free state and with her own constitution, into the American confederacy, was at once the starting

point of another congressional debate, and of renewed maneuvers outside of congress, which, for folly and extravagance, have not been paralleled since the inauguration of the federal government. Conventions of the southern members had been called, during the first session of the thirtieth congress, and they were now called again, during the progress of the second session, to meet in sight of that capitol, from whose dome the stars and stripes daily floated, whose avowed object was to invite and induce the non-slaveholding states to unite in opposition to the general government, provided these anti-slavery views were adopted in respect to the newly-acquired territories. An address had been prepared, written by Mr. Calhoun, who still took the lead of this southern party, "of the southern delegates to their constituents," which, by a series of concealed sophisms, and by the employment of such language as could not fail to strike the southern heart, was well calculated to rouse the jealousy and excite the hostility of the south. Mr. Berrien, of Georgia, not satisfied with so narrow a field as the slave-holding states, or unwilling to make an appeal so clearly sectional in its character, proposed as a substitute an address "to the people of the United States," which, nevertheless, had the same object in view, the raising of a storm against the admission of free states out of the territory "earned by the blood and treasure of the south." Southern blood and treasure had certainly been very freely spent, and spent with a design, which the sovereign people of California, a large portion of whom were southerners by birth, had ventured unanimously to disappoint; and this disappointment, in addition to the measures already mentioned, led the southern members of congress to another step, which was still less in unison with the character of good patriots. They called a convention, to be held in Nashville, whose object was, according to the general understanding at the time, to concert measures for the formation of a southern confederacy, and, of course, for a dissolution of the Union.

The address proposed by Mr. Calhoun was adopted, in preference to the broader and perhaps more catholic one offered by Mr. Berrien; and it received the signatures of no less than forty-eight members of congress, all but two of whom were members of the democratic party.

It cannot be denied that here were threatening and danger enough to the peace and stability of the Union; and Mr. Everett has alleged this condition of affairs as a prominent reason which operated on the mind of Mr. Webster in reconciling him to the nomination and election of General Taylor. The general was a southerner by birth, but opposed to the doctrines of the conventionists; and it may have been presumed by Mr. Webster, as it certainly was by many who otherwise would have been irresistible in their demands for the nomination of a civilian, perhaps of Mr. Webster himself, that no northern man could be able to inspire sufficient confidence among southern unionists to hold them against the pressure of opinion which was rapidly taking possession of the south. Amidst the general gloom of the times, which began to settle upon all sober and reflecting minds, there was one bright spot. California had framed her own constitution, and put to rest the question of slavery, so far as her territory was concerned, forever. So much, then, was fixed. Upon looking a little more closely, another bright spot appeared. New Mexico, the other province about which the controversy had been raging, as it began now more clearly to appear, was a region entirely unsuited by its soil, and by the face of the country, for the profitable or even possible employment of slave labor. That province had been made free, perpetually and eternally, in spite of all legislation, by the hand of the Creator. To secure the interests of freedom, therefore, there was no need of irritating the south by the application to either province of the anti-slavery proviso; and in consequence of this fact, which every northern man of prominence began to see very clearly, it shortly be-

came possible, during the early part of the winter session of 1849–50, in a friendly conference of several of the leading and ablest members of both houses, to think of a reconciliation. Several such conferences were held; and on the 25th of January, 1850, Mr. Clay, who was the representative of this select body, submitted a series of resolutions to the senate, on the subject of slavery, as it stood connected with our recent territorial acquisitions. The fate of these resolutions is well known. After a protracted debate, which engrossed the senate from January to March, the resolutions were found to be impracticable. In substance, however, individually or collectively, they still continued to be discussed; but nothing as yet had fallen from the lips of Mr. Webster. Privately, he had been exerting his immense personal influence, wherever he could make it felt, to promote the peace and harmony of the country; but for weeks, while the debate was raging, the members of congress, and the whole country, were anxiously looking to see him rise in the breach, not to part the combatants, but to hold them together. No one acquainted with his former course as a statesman could have expected that he, who, through his whole career, had made the constitution and the Union the great topic of his life, the fundamental maxim of his entire system of political opinions, would rise to counsel a separation. Whenever he should come forth, it was morally certain, in the mind of every sagacious man, that he would stand up as the advocate of some peace measure, of some adjustment of the difficulty, that the constitution and the Union might be prolonged. He had always spoken of the constitution itself as a compromise. He had frequently declared, that the union of the states, on the basis of our present constitution, if not grounded on the best terms possible to be conceived, which he never pretended to maintain, was based on the best foundation on which the people of all sections of the republic, east and west, north and south, ever were or ever would be willing to stand together.

No union at all had been possible, at the first, but such as all parts of the country had been willing to enter into and maintain; and it was equally impossible, he clearly saw, to keep up the union which had been formed, except on terms equally capable of giving satisfaction, not to any one section, but to all sections of the country. If, in the beginning, it had been right, for the sake of a confederacy, to make certain mutual concessions of the various latitudes and longitudes of the country to the other latitudes and longitudes, it remained right, and would remain right, through every period of our history. If, in particular, it had been right for the north to make certain concessions to the south, in respect to the existence and protection of slavery in the southern states, it certainly continued to be right, in furtherance of the same great object, for the sake of preserving what in the same way had been created, to maintain and continue these concessions. If such concessions were wrong now, they always had been wrong, and the union of the states was wrong, because founded on immoral or unwarrantable concessions; and if the confederacy had been thus always wrong, from its very inception and foundation, everything attempted or achieved by it, our whole fabric of government, all our laws, all our institutions, and the means employed to create and fortify and defend them, from the war of the revolution to the present moment, had been but parts and portions of the wrong. If the union of the states were thus only a grand and wholesale giving up of right to wrong, of truth to error, of righteousness to sin, then the doctrine to be maintained, in congress and out of congress, in the pulpit, by the press, by the living voice, by every agency under heaven, would be immediate, instantaneous, uncompromising dissolution. Such reasoning would make resistance to law a virtue, rebellion a religious duty, and transform the nullifiers and disunionists of every section of the country, who have thus far drawn down upon their heads the condemnation of the wise and good of every period

of our history, into patriots, into philanthropists, into apostles of truth and righteousness.

Such reasoning, however, could not stand in the mind of such a man as Webster. He had always been the eulogist and defender of the constitution and the Union. He had always believed that the Union was the only means to the establishment of a country, a free country, a country of free and republican institutions; that, though the end could never justify the means, the means themselves had been moral and justifiable in the circumstances of the case, and under the pledges of the occasion; and that, even if the north had made a poor contract, or, as he used sometimes to call it, "a losing bargain," it was still a bargain, a contract, a covenant, which must now stand in spite of all sophistry, in spite of all fanaticism.

Such, without any hesitation, were known to have been the life-long opinions of Mr. Webster; and no one now expected to see him change his policy, and advocate new doctrines. Every American was certain that he would not let the occasion pass without putting forth an effort worthy of his power of mind, and of his exalted place in the confidence and affections of the people, for the peace and preservation of the republic. Every citizen was expecting to see him come forward with some plan of arrangement, or to advocate some mode of adjustment, by whomsoever proposed, which should be most likely, in his mind, to settle the controversy of the sections, to calm the excitement of the combatants, and to insure the integrity and harmony of the country. Every individual might have foreseen, too, and many did foresee, that he would advance nothing new, that he would advocate no untried schemes, but plant himself upon the constitution as it was, and as it ever had been; and, in all these expectations, it is now well known, from the course he did pursue, the people, the country, the world suffered nothing of disappointment.

On Wednesday, the 6th of March, Mr. Walker, of Wiscon

sin, commenced a speech on slavery in connection with the territorial question; but he was so frequently interrupted that he had not concluded his remarks when he had reached the hour of adjournment. During that day, while Mr. Walker was speaking, it somehow was rumored in the senate, and in the city, that a speech would be made the next morning by Mr Webster; and when the morning arrived, the senate-chamber was one dense mass of citizens and strangers, below and above, leaving scarcely a possibility for some of the members themselves to find their seats, or even eligible standing-places. The wealth and beauty of the town were there. Almost the entire body of foreign ministers were there. Distinguished persons, male and female, from all parts of the country, and from other countries, had collected there the moment it was understood that there was a probability of hearing Mr. Webster. Since the day of his reply to Hayne, he had not seen there so august an audience; and yet, up to the moment of his entering the chamber, no announcement had been made, publicly or privately, of his intentions. Nor is it now entirely certain that he had definitely fixed upon that day to speak; but, however that may be, he had scarcely crowded his way through the dense mass and taken his seat, before he was laid under a sort of obligation to speak, whatever had been his intentions before entering the house.

Precisely at twelve o'clock, the president of the senate, Mr. Fillmore, announced the special order of the day, remarking that Mr. Walker, of Wisconsin, had the floor; and immediately that gentleman arose in his place and replied to the chair in a strain that must have taken the audience, and especially Mr. Webster, by surprise: "Mr. President," said the senator, "this vast audience has not come together to hear me; and there is but one man, in my opinion, who can assemble such an audience. They expect to hear him; and I feel it to be my duty, therefore, as it is my pleasure, to give the floor to the

senator from Massachusetts." Though surprised by this unexpected eulogy, Mr. Webster was not embarrassed. Rising immediately, but with that slow and deliberate movement so peculiar to him, he returned his warmest acknowledgments to Mr. Walker for this unusual mark of courtesy, in yielding the floor before his own speech was finished, and to Mr. Seward, who, after Mr. Walker, would have had, by the law of custom, the next privilege of speaking, and then entered directly upon that great effort, which, for censure or for praise, will be remembered as long as anything that was ever uttered from his lips.

This speech of the 7th of March, 1850, opens with the general declaration, very beautifully drawn out, that the speaker proposes to lay aside all sectional prejudices, and take his position, for that time more emphatically than ever, on the broad platform of the general constitution. It then proceeds to give a history of the manner, which he condemns, by which the territories recently acquired, and about which the great dispute was now in progress, came under the jurisdiction of this government. The remarkable fact is next stated, with all its historical circumstances, of the erection of a state by the people of California, without the knowledge or consent of congress, and of the adoption by them of a constitution containing the anti-slavery restriction. The statement of this prohibition naturally leads him to a discussion of the existence of slavery, as a fact in history, from the earliest periods in the annals of the oriental nations, through the Jewish, Grecian, and Roman epochs, down to its establishment, by the improper indulgence of the mother country to her great navigators, in the colonies which now constitute the older states of the American confederation. The existence of such a fact, not only as a matter of past history, but as a thing existing in our own day and on our own soil, the orator next states, had caused a division of public opinion and public sentiment, one part of our citizens posi-

tively condemning, another part as positively upholding, the recognition of slavery in this republic; but it is plain enough, in the very terms employed in giving a statement of this difference, that the speaker, in his own views and feelings, is entirely on the side of liberty. He is willing, however, as a candid man, to give those advocating the rectitude of slavery as much credit for honesty of opinion, as he claims for himself in giving it his disapproval, which candor, he thinks, has not been sufficiently exercised by his northern fellow-citizens, any more than it has been exercised by his southern brethren in their unqualified jealousy and condemnation of the north. Religious bodies, too, he thinks, of which he presents the Methodist Episcopal Church as an eminent example, in her needless and unfortunate separation, had often been too violent, too positive, too absolute and exclusive in their discussions in relation to the subject. The sentiments of the north and the south, now so extravagant for and against the institution, had nearly changed sides since the adoption of the constitution, the northern states at the first being rather cool, if not comparatively indifferent, while the southern states, both in congress at New York and in the constitutional convention at Philadelphia, which were sitting at the same time when the constitution was adopted, unanimously and even violently regretted and condemned it. The ordinance of 1787, which excluded slavery forever from every foot of territory then belonging to the United States, received the vote of every southern member of congress, while Mr. Madison, sustained by all his southern colleagues in the convention, would not consent, though the northern members had raised no dissent, that the word slave or slavery should appear in the instrument they were then constructing. The declaration of this same congress, that the African slave-trade should be held as piracy, the senator next shows to have been a southern measure; and when some northern gentleman proposed twenty years from that date, as the period after which this declaration

should take effect, the leading southern members opposed the suggestion as giving too long a license to the great political and public evil. It was in view of this evident state of feeling at the south, coming out thus authoritatively in every way in which it could appear, that induced the northern members of the convention, according to the next position of the speech, to agree to the recognition of a system of moral and political wrong, which, as all then believed, was soon to be abolished by the consent and coöperation, free and spontaneous, of the south itself. In this expectation, however, the north and the whole country had suffered a remarkable disappointment. It was discovered by the south, soon after the constitution went into operation, that cotton was to be the great staple, the great reliance for prosperity and wealth, of the southern states, and that the cultivation of this product could not be carried on, at least profitably, without slaves. Southern sentiment was at once revolutionized; and, at the same time, or about the same time, the feeling of hostility to the enormity of slavery, as an institution now to be perpetuated in a republic based on the glorious revolutionary declaration of the absolute and perfect natural equality of all men, began to look toward the civil liberty of every human being breathing the air of a professedly free country. Still, the south having had the lead of the national politics for three-fourths of all the time since the adoption of the constitution, the policy of the government began at once to be a slave-holding policy, large acquisitions of slave territory were successively added to our domain, new slave states were rapidly brought into the confederacy, and the establishment of slave labor at length seemed likely, in process of time, to make free labor an exception and a reproach throughout the country. Alarmed at the unexpected progress of the evil, the north had been daily approaching the resolution not to allow it to advance any further; it had begun to remind the south of the general understanding, on the subject of slavery, when the constitution

was formed and the northern states had submitted to a recognition of its existence, which they had supposed would be only temporary, in the southern states of the republic. In this way, as Mr. Webster next shows, the territorial strife began. The south at once raised the banner of acquisition, because whatever acquisitions should be made, since the republic is bounded on the north by the territory of a power able to defend it, must come to us on our southern border. For this purpose, the revolution of Texas had been encouraged, and the annexation of that republic had been effected, by the leading instrumentality of the south. For the same purpose, a war with Mexico, a republic patterned after our own, but weak and needy of our encouragement and support, had been injuriously and even clandestinely brought upon us, and in this way immense tracts of the earth had been added to our possessions on the south and west. California, however, had disappointed the plans of those who had been foremost in grasping after it, leaving only New Mexico and Utah, regions incapable of the curse of slavery, as subjects of congressional contention. The house of representatives, happening to have a free-soil majority, threatened to fix the anti-slavery restriction, nevertheless, on those provinces, careless of the irritable condition of the south, while the senate would not pass the anti-slavery bills of the house, as careless of the determination of the north. Having thus shown how, as here described, the crimination and recrimination of north and south had been revived, the speaker, after explaining his own steady opposition to all the recent measures by which this state of things had been produced, goes into a careful examination of the prominent complaints of each section against the other, in which he finds only one valid and prominent cause, on either side, for complaint. The south had complained, that the north had falsified its constitutional pledges, by setting up an unexpected and unlawful opposition to the slavery of the south; and Mr. Webster, while denying the charge in general,

admits that the northern states had been too negligent in their engagement to return slaves escaping from their masters and taking shelter at the north. He maintained, on the other side, that the south, either wittingly or unwittingly, had disappointed if not deceived the north, in obtaining a constitutional recognition of slavery in the southern states, with an engagement never to meddle with its existence there, by exhibiting a hostility to it, real or unreal, which had given place to a most unexpected, remarkable and unanimous determination to support it where it is, and where it was, and to extend it as far as possible by grasping at territory adjacent to those states. Other complaints are mentioned and discussed, but these two, both on the same subject and balancing each other, are regarded as the ones calling especially for moderation, and charity, and good faith. Whether sincere or insincere, though no insincerity is charged, the declarations of hostility to slavery by the south, at the time and in the act of framing and adopting the federal constitution, and in the passage of the great anti-slavery ordinance of 1787, ought now, if the south expected a similar fidelity to former principles by the north, whatever change of interest may have happened in the slave-holding states, to be honestly and strictly carried out. In like manner, if the north had agreed to return slaves escaping from their masters, however their views and feelings may have altered from that day, they must not now parley, nor tamper with their plighted word. Neither party must expect the other to be faithful, unless it is willing and ready to be itself faithful. Both must consent to abide by the original compact which they had made. By this compact, by this mutual concession, the Union had been formed at first. By the same compact, by the same concessions, and by these only, could the Union be maintained. For one, as a northern man, he was willing to abide by that part of the compact which bound him, and all his northern fellow-citizens, to return the fugitives; and he was thus willing, not only because

the people in framing the constitution had laid him under an obligation to be willing, but because he expected the south to be equally ready to comply with its own stipulation, and relinquish its claim of extending slavery beyond its present limits, and particularly of sending it into the unsettled territories of the United States.

Such, in substance, is the speech of the 7th of March, 1850; and, if it is not a sound constitutional argument, if it is not conciliatory, patriotic, wise and good, then it is difficult to divine what may have become of the original meaning of these words. It was an argument to both parties, for the sake of the continuance of the republic, to keep good faith and do exactly as they had agreed. It was no surrender of the south to the north, nor of the north to the south. It was a demand, that both south and north, for the sake of peace, for the sake of liberty, for the sake of free institutions, and a possible destiny common to them both, should maintain the Union in pursuance of the same measures by which it had been originally produced.

It cannot be denied, however, that, for this speech, Mr. Webster came near losing his position at the north. The north, it need not be disguised, forgetting the many illustrious services of this great man for a space of more than forty years, by which he had laid the whole country under obligations of gratitude which a score of generations will not be able to repay, and by which he had spread the honor and fame and glory of his native land over the face of the civilized and reading world, seemed at one time to be on the point of committing the folly, to call it by no harsher name, of canceling a life-time of noble and patriotic deeds, by what, at the worst, could be regarded as only one mistake. Some, it is true, accused him of having given this healing counsel, of taking his position as an American, on the broad platform of the constitution, not because, as was undeniably the fact, he had never stood a moment on any narrower foundation, but because he was aspiring to the highest

office under the constitution. The shallowness is the only element that exceeds the uncharitableness of this change. Did not Mr. Webster know that, in taking even his old position at this particular time, he was running the risk of losing the whole north, while the south would never support the man who, in that very congress, had declared that he never could consent to the extension of American slavery one foot beyond the limits it then occupied? Was that great man, whose sagacity and breadth of vision had been the boast and admiration of his countrymen for nearly half a century, all at once so blind as not to see, a moment before the speech, what every scribbler, and paragraphist, and country newspaper critic saw, as with a sunbeam, the moment after it? There is no room for speculation upon this subject. Mr. Webster is fortunate in having so expressed himself before the delivery of the speech, as to leave no doubt upon it. Without trying to seek supporters at the north, and conscious of the hazard he was about to make, he stated to a friend, some time before the 7th of March, "that he had made up his mind to embark alone on what he was aware would prove a stormy sea, because, in that case, should final disaster ensue, there would be but one life lost." He saw his danger certainly; but he saw what seemed to be his duty, also; and that duty he resolved to do, for the sake of his cherished country, without respect to personal considerations.

This one speech, however, has received more attention, comparatively, than ought to have been given to it by those of his opponents, who wish to be looked upon as candid. There are several other speeches, made during the continuance of this great debate, which seem to have been uncharitably or carelessly overlooked. The accusation against Mr. Webster was that, in a crisis of liberty, he yielded too much to slavery. Passing off from the speech of the 7th of March, in which it will be difficult for posterity, it is imagined, to find any un-

constitutional concessions to the slave interest, it may be asked whether, in his other addresses at this time, he did nothing for the cause of freedom. Was it nothing, that he opposed the plausible claim set up by Texas, to the best portions of New Mexico, because Texas wished to convert them to the purposes of slavery? Was it nothing that he advocated, more ably and feelingly than any other senator, the immediate reception of California, when the whole south was arrayed against it on account of her anti-slavery constitution? Was it nothing that he rebuked the whole south, openly and plainly, in the midst of his supposed projects of ambition, for the treatment it was accustomed to extend to free colored persons going to the southern states on lawful business? Was it nothing that he repeated his determination, over and over, never to consent to the extension of slavery on this continent, and repeated it so often that the southern members accused him, as the first step to his new scheme of ambition, of having made this his hobby?

The truth is, however, and it is more apparent as one reads more and more of Mr. Webster's speeches delivered at this time, that he had no hobby, no scheme, no ambition, but the single and unchanged and noble one of being the champion and defender of the Union and the constitution, and of the constitution for the sake of maintaining and perpetuating the integrity of the Union. When all party feeling shall have subsided, and the excitement of that day shall be forgotten, the speech of the 7th of March, and his various speeches of that congress, on the boundaries of Texas, on the public lands and boundaries of California, and on the compromise measures generally, will be re-read and revised by the cooler judgment of posterity, when they will be thought to constitute his best title, the circumstances being all considered, to the respect and affection of his countrymen. His vote for the fugitive slave bill will not then be charged as a proof of political ambition. It will be believed that, though he finally

lent that vote to a mode of reclaiming the runaway slave, which gives too little succor to the down-trodden fugitive, and too much to the greedy, and often unscrupulous and imperious master, he did so for no purposes of his own, but for the best good, as he understood it, of his country. It will be remembered, too, that the bill which became a law was not his own bill; but that he offered a bill, in which there was distinct provision that, on being claimed as a fugitive, the man of color might swear himself free, against the oath even of his claimant, and that this oath of his should entitle him to the right of having the claim tried by jury. It will be remembered that he gave up his own views only when he saw the impossibility of settling the difficulties, of preserving the harmony of the states, and, as he thought, of saving the republic, on that basis.

Then, in that period of calm reading and calm reflection, when these things are all remembered, and are all candidly considered, the posterity that shall then occupy his adopted state, his cherished Massachusetts, whose name he has made so illustrious, will regret that the still surviving temple of their freedom, the Cradle of Liberty, where his voice so often rang with an order of eloquence to which they may never have the happiness to listen, and which gave to that temple, over the continent and over the world, the greater part of its celebrity, was, at this ungrateful period, barred and shut against him. Then, if history has any power to mount the watch-tower of philosophy, and foresee coming events, and unless all present signs are sinister, the time will come, the angry passions of the past having been all hushed in death, and only what is true having been preserved in history, when there will be no name more honored, even for the acts now condemned, than that of Daniel Webster; and when his country will regret that some of the last days of one of the most illustrious of her sons were clouded by the misconception or ingratitude of those, for whose sake, and for the sake of whose best earthly welfare, he staked all that he had

gained in the past, and all that he could have hoped for from the future.

Then, too, it will be set down and considered as a sufficient and concluding fact, that, in behalf of his constituents and of the whole country, he made this great sacrifice of his personal feelings, bound to it, as he felt himself, by the pledges of the constitution, because he regarded the measures then in debate, and then about to be enacted into laws, as the final and perpetual settlement of the slavery agitation, not, indeed, as a moral or even political question for the states, as states, or for citizens as citizens, or for citizens as philanthropists and christians, but as a topic of discussion and discord in congress; that in this responsible step, he relied implicitly on the promises of every southern member of both houses, and of the leading members of the democratic party of the north, who pledged their faith that this should forever stand as the last and unalterable adjustment of the subject of slavery as a matter of congressional interference, debate or action; that, according to his understanding, the arrangement thus entered into, "fixed, pledged, fastened, decided," to use his own strong terms, the whole question, leaving not "a single foot of land, the character of which, in regard to its being free territory or slave territory, is not fixed by some law, and some *irrepealable law*, beyond the power of the action of the government;" that it would thereafter forever be impossible, without such a breach of faith as neither north nor south had ever committed, or would ever venture to commit, to raise in congress a question respecting the character, in this respect, of a single inch of territory belonging to the United States, every concession of the constitution and of the laws and arrangements under it, from the compromise of Missouri to that of New Mexico and California, being now set down and acknowledged to be as unchangeable as the constitution itself; and that thus, with the result and remunerative element of this final compromise in view, on which, for the peace

of the country, he staked and yielded every personal interest and consideration, he did his part toward the harmony and perpetuity of the republic. And now, if, in this act of confidence, in this trust in pledged honor and plighted faith, the country has been disappointed, at a time when his powerful voice could not be raised, as it certainly would have been raised, against the most recent and the most ignominious instance of modern perfidy, posterity certainly will award, and the present generation should award, not the dishonor of the breach, but the glory of the act of settlement, to the political consistency, the unbending integrity, the magnanimous spirit, and the unbounded influence of Daniel Webster

CHAPTER XII.

CLOSING PERIOD OF HIS LIFE.

During the progress of the great debate, and almost to the very last of it, there appeared in the senate chamber, whenever the weather would permit, a member of that body, whom disease was gradually and silently preying upon and fitting for his final resting-place in an honored grave. That member was the honorable John Caldwell Calhoun, the long-tried and long-trusted representative of South Carolina, and the able and eloquent champion of the entire south. On the 4th of March, 1850, he took his seat among his brethren of the senate, hoping to be able to address them, probably for the last time, on the important matters then under consideration; but his strength failing him, his speech, which he had carefully written out, was read to the senate by his friend, Mr. Mason, senator from Virginia. On the 7th of March following, he was again in his seat, but evidently more wasted and weak than ever, for the purpose of listening to the speech of the senator from Massachusetts, whom the South Carolina senator had just declared, in the confidence of private friendship, and while resting upon that bed on which he expected soon to close his eyes, to be as honest and honorable a statesman as he had ever known in all his experience and observation among the most distinguished citizens of the country. It was on that day, and in that speech, that Mr. Webster pronounced that brief eulogy on his illustrious antagonist, which, in substance, was a voluntary tribute to Mr. Calhoun's openness and integrity of character, a tribute seen and felt at the time to be characteristically happy in a speech

of compromise and conciliation. On the 31st of March, Mr. Calhoun breathed his last, at his own lodgings in Washington, near to his post of duty, surrounded by his friends and near relatives; and on the next day his decease was announced in the senate by his colleague, Mr. Butler, when, among other speakers, Mr. Webster again stood up to bear willing and beautiful testimony to the high merit of the departed.

The place left vacant by this lamented death was supplied by the appointment of Franklin H. Elmore, who, for several years, had been a member of the house of representatives; but, on the 29th of May, in less than two months from the day of Mr. Calhoun's decease, the new senator was struck down by the hand of death, and Mr. Webster was again called upon to speak to the senate on the afflictive dispensation. Mr. Webster had known Mr. Elmore from the time of his coming into the lower house; and, during his tour to the south, he had been indebted to him for personal attentions, which had made a lasting impression on his heart. He now repays the debt, so far as words can do it, by a short but exceedingly appropriate address over the memory of his friend.

In this department of oratory, in fact, Mr. Webster has never had his equal on this continent. He always knew, not only exactly what to say, but exactly what not to say. He was most happy in seizing hold of the striking intellectual traits, and the most characteristic virtues, of those whom he was thus called to mourn. His quotations, on such occasions, as well as his references to historical personages of comparable traits and talents, have long been celebrated in this country, and in other countries. It was remarkable, too, that, while his funeral orations always gave the highest satisfaction to those most deeply interested, he never praised too much, nor in any way exceeded the severest demands and proprieties of an occasion. All these excellencies of speech had been exemplified in his tributes to Joseph Story and Jeremiah Mason; and they

were now again exemplified in his eulogies of the two senators from South Carolina.

Soon, however, afflictive as these deaths had been, another death occurred, which, from the exalted position as well as the personal merits of the subject, was to be felt, and was felt, to the extremities of the republic. On the 9th of July, 1850, at half-past ten o'clock, Zachary Taylor, president of the United States, died suddenly, after an illness of only a few days. Early in that day, while Mr. Butler was addressing the senate, Mr. Webster, by leave of Mr. Butler, rose and announced to the senate the extreme illness of the president, whereupon the senate immediately adjourned; and on the morning of the next day, a communication addressed by Mr. Fillmore to both houses of congress was read, which brought to the senate the first official intelligence of the heavy bereavement of the nation.

The first duty of congress, of course, was to attend to the swearing in of Mr. Fillmore as acting president of the United States; and accordingly, immediately after the reading of the communication from the vice-president, Mr. Webster rose and read to the senate the following resolutions: "Resolved, That the two houses will assemble this day in the hall of the house of representatives, at twelve o'clock, to be present at the administration of the oath prescribed by the constitution to the late vice-president of the United States, to enable him to discharge the powers and duties of the office of president of the United States, devolved on him by the death of Zachary Taylor, late president of the United States. Resolved, That the secretary of the senate present the above resolution to the house of representatives and ask its concurrence therein."

This necessary duty having been thus discharged, Mr. Downs, senator from Louisiana, addressed the senate in a very touching manner, respecting the mournful event of the day, and concluded by offering a series of appropriate resolutions the

second of which constituted Mr. Webster, Mr. Cass, and Mr. King, a committee, on the part of the senate, to be associated with a similar committee on the part of the house, for the purpose of making suitable arrangements for the funeral and burial of the departed president, whereupon Mr. Webster immediately arose in his place and delivered a eulogy, which, considering what he had felt bound to say, respecting the nomination of General Taylor, was a task not to be happily performed by any person, under such circumstances, of less genius and tact than Daniel Webster. It is almost needless to say, however, that, as usual under all circumstances, the orator entered as directly upon his subject, and passed as easily and eloquently through it, as if there were no difficulties in it. Without recalling anything he had said before, and of course without supporting his former statements, he found enough in the life and character of the able commander, the good citizen, and the honest president to supply, and more than supply, all the requirements of the occasion; and there are passages in that brief speech worthy to be remembered as giving a genuine likeness of him, who, till this day, has no better or more desirable memorial: "I suppose, sir," says the speaker, "that no case ever happened, in the very best days of the Roman republic, when a man found himself clothed with the highest authority in the state, under circumstances more repelling all suspicion of personal application, of pursuing any crooked paths in politics, or of having been actuated by sinister views and purposes, than in the case of the worthy, and eminent, and good man whose death we now deplore.

"His service through life was mostly on the frontier, and always a hard service, often in combat with the tribes of Indians along the frontier for so many thousands of miles. It has been justly remarked, by one of the most eloquent men whose voice was ever heard in these houses, that it is not in Indian wars that heroes are celebrated, but that it is there that

they are formed. The hard service, the stern discipline, devolving upon all those who have a great extent of frontier to defend, often, with irregular troops, being called on suddenly to enter into contests with savages, to study the habits of savage life and savage war, in order to foresee and overcome their stratagems, all these things tend to make hardy military character.

"For a very short time, sir, I had a connection with the executive government of this country; and at that time very perilous and embarrassing circumstances existed between the United States and the Indians on the borders, and war was actually carried on between the United States and the Florida tribes. I very well remember that those who took counsel together on that occasion officially, and who were desirous of placing the military command in the safest hands, came to the conclusion, that there was no man in the service more fully uniting the qualities of military ability and great personal prudence than Zachary Taylor; and he was appointed to the command.

"Unfortunately his career at the head of this government was short. For my part, in all that I have seen of him, I have found much to respect and nothing to condemn. The circumstances under which he conducted the government, for the short time he was at the head of it, have been such as not to give him a very favorable opportunity of developing his principles and his policy, and carrying them out; but I believe he has left on the minds of the country a strong impression, first, of his absolute honesty and integrity of character; next, of his sound, practical good-sense; and, lastly, of the mildness, kindness, and friendliness of his temper toward all his countrymen.

"But he is gone. He is ours no more, except in the force of his example. Sir, I heard with infinite delight the sentiments expressed by my honorable friend from Louisiana, who has just

resumed his seat, when he earnestly prayed that this event might be used to soften the animosities, to allay party criminations and recriminations, and to restore fellowship and good feeling among the various sections of the Union. Mr. Secretary, great as is our loss to-day, if these inestimable and inappreciable blessings shall have been secured to us even by the death of Zachary Taylor, they have not been purchased at too high a price; and if his spirit, from the regions to which he has ascended, could see these results from his unexpected and untimely end, if he could see that he had entwined a soldier's laurel around a martyr's crown, he would say exultingly, 'Happy am I, that by my death I have done more for that country which I loved and served, than I did or could do by all the devotion and all the efforts that I could make in her behalf during the short span of my earthly existence!'"

When the last solemn respects had been paid to the remains and memory of the departed president, the discussion of the compromise measures was again resumed; and it was at this time, and on this subject, following Mr. Butler, of South Carolina, that Mr. Webster delivered his last speech, and uttered his last word, in the senate of the United States, where he had been so long the acknowledged head among its orators and statesmen. It was delivered on the 17th of July, 1850; and it was immediately issued in pamphlet, in which form it was extensively circulated and read in every section of the Union. It was a very able effort, the title-page itself bearing sufficient proof, that the production was from no common man. His tact at making historical and poetical quotations has been, as before seen, greatly celebrated; but there is perhaps no example in all his writings, of a perfectly apposite quotation, surpassing that employed as the motto of this address. He had been misunderstood, misrepresented, slandered, abused, at home in Massachusetts, and in every northern state, for having yielded too much, and that for ambitious purposes, in the great contro-

versy still raging; and it was thought by many, and expressed by some, that the end of all these Union-saving measures would be, or might be, a dissolution of the Union. Prophesies of national disaster, and threats of a personal character, had been freely lavished by the northern press upon Mr. Webster; but he had stood erect, and firm, and immovable, conscious of no motive for his conduct but that of being useful to his country; and now, in sending to the world his concluding effort for the peace and harmony of the states, he calls attention to an illustrious crisis in English history, where a similar spirit of conciliation had saved the kingdom, by quoting the memorable words of Burke: "Alas! alas! when will this speculating against fact and reason end? What will quiet these passive fears which we entertain of the hostile effect of a conciliatory conduct? Is all authority of course lost, when it is not pushed to the extreme? All these objections being in fact no more than suspicions, conjectures, divinations, formed in defiance of fact and experience, they did not discourage me from entertaining the idea of conciliatory concession, founded on the principles which I have stated." What could have been more to Mr. Webster's purpose? It would almost seem, when the facts in both cases are closely compared, and when the language of the English statesman is compared with what the American statesman might have hoped that some such great authority had sometime said, that the event and the comment had both occurred expressly for the benefit and use, at this particular crisis, of Mr. Webster. All history, and the entire range of literature, could scarcely have furnished so apt a passage, which, probably, occurred to the mind of the great man the moment he had decided to fix a motto to his performance. Such was the compass of his reasoning, and such the promptness of his intellectual faculties, till the very closing period and last days of his existence!

Having given, on a former page, the first words uttered by

Mr. Webster in the congress of the United States, the period has now come when his last words can be here recorded; and it will be evident that they are words worthy, not only of perusal, and of simple recollection, but of being written and engraved on the most durable material, in characters to be read by all his countrymen, and especially by those who have innocently misunderstood him. After having finished the argument in the case, in which he had shown that the compromises proposed to be made, between the north and the south, were legitimate subjects of compromise, and that, as matters of public interest, they were not all on either side, but were such as very fairly and equally balanced each other, he brings the senate to a final decision by asking what is to be done, and then telling them plainly what he shall do, whatever course may be pursued by others: "And now, Mr. President, to return at last to the principal and important question before us, What are we to do? How are we to bring this emergent and pressing question to an issue and an end? Here have we been seven and a half months, disputing about points which, in my judgment, are of no practical importance to one or the other part of the country. Are we to dwell forever upon a single topic, a single idea? Are we to forget all the purposes for which governments are instituted, and continue everlastingly to dispute about that which is of no essential consequence? I think, sir, the country calls upon us loudly and imperatively to settle this question. I think that the whole world is looking to see whether this great popular government can get through such a crisis. We are the observed of all observers. It is not to be disputed or doubted, that the eyes of all christendom are upon us. We have stood through many trials. Can we not stand through this, which takes so much the character of a sectional controversy? Can we stand that? There is no inquiring man in all Europe who does not ask himself that question every day, when he reads the intelligence of the morning. Can this

country, with one set of interests at the south, and another set of interests at the north, and these interests supposed, but falsely supposed, to be at variance; can this people see what is so evident to the whole world beside, that this Union is their main hope and greatest benefit, and that their interests in every part are entirely compatible? Can they see, and will they feel, that their prosperity, their respectability among the nations of the earth, and their happiness at home, depend upon the maintenance of their Union and their constitution? That is the question. I agree that local divisions are apt to warp the understandings of men, and to excite a belligerent feeling between section and section. It is natural, in times of irritation, for one part of the country to say, If you do that, I will do this, and so get up a feeling of hostility and defiance. Then comes belligerent legislation, and then an appeal to arms. The question is, whether we have the true patriotism, the Americanism, necessary to carry us through such a trial. The whole world is looking toward us with extreme anxiety. For myself, I propose, sir, to abide by the principles and the purposes which I have avowed. I shall stand by the Union, and by all who stand by it. I shall do justice to the whole country, according to the best of my ability, in all I say, and act for the good of the whole country in all I do. I mean to stand upon the constitution. I need no other platform. I shall know but one country. The ends I aim at shall be my country's, my God's, and truth's. I was born an American; I will live an American; I shall die an American; and I intend to perform the duties incumbent upon me in that character to the end of my career. I mean to do this, with absolute disregard of personal consequences. What are personal consequences? What is the individual man, with all the good or evil that may betide him, in comparison with the good or evil which may befall a great country in a crisis like this, and in the midst of great transactions which concern that country's fate? Let the

consequences be what they will, I am careless. No man can suffer too much, and no man can fall too soon, if he suffer or if he fall in defence of the liberties and constitution of his country."

The death of General Taylor, and the unexpected as well as needless if not factious resignation of his cabinet, threw upon Mr. Fillmore, suddenly and at an evil time, the task always difficult, even under circumstances the most favorable for deliberation, of nominating a new cabinet. It is not to be doubted, that Mr. Fillmore would have chosen to have the former members hold office, at least till he could find time, after being thus called upon to assume the reins of government, to look carefully into a duty, which, from the nature of the case, could never have formed with him the subject of a moment's contemplation. It is understood, too, that he gave utterance of his desires to this effect; but, even if that were so, no heed was given to his wishes. In a day, in an hour, he was compelled to appoint all his ministers, or leave the departments of gov ernment without their proper officers. Thus forced to act, and to act at a time when a mistake would have proved fatal to his administration, and perhaps fatal to the existence of the republic, he laid his commands upon a statesman, for the first position in his cabinet, whose views corresponded very exactly with his own, and who, for nearly forty years, had shown himself to be, not only superior to the most distinguished of his countrymen, but equal to any demand that had ever been made upon him. That man, it need not be said, was Daniel Webster. With his assistance, and guided by the conscious integrity of his own honest heart, Mr. Fillmore commenced an administration, which, for the fundamental and serious difficulties surrounding it, bears no comparison with the most difficult of former administrations, and which would suffer nothing by a comparison, for honesty and uprightness, with the most illustrious.

Both before and immediately after going into Mr. Fillmore's cabinet, Mr. Webster received from all parts of the country, in the midst of all the opprobrium and opposition encountered by him, as many tokens of continued confidence, as he had ever received in any equal period of his life. Letters of approval, of commendation, of eulogy, came to him from all sections of the country, but mostly from the north. Men of the first distinction, and even members of the democratic party, who had never before felt *compelled* to do him justice, as well as hundreds of his fellow-citizens of New England, and among them his old friends and neighbors of New Hampshire and Massachusets, now wrote to him in terms of praise which caused him to shed tears of gratitude for the kindness and truthfulness manifested toward him. From the Hon. Thomas H. Perkins, the philanthropist of Boston, from the Hon. Isaac Hill, the well-known democratic governor of New Hampshire, from a large number of citizens of Newburyport, Massachusetts, from an equal or a larger number of the citizens of Medford, of the same state, from R. H. Gardiner, Esq., in behalf of the inhabitants living along the banks of the Kennebec river, from the Rev. Ebenezer Price, who addressed him on the part of Mr. Webster's old neighbors in New Hampshire, from various persons of the first consideration living throughout the middle states, from George Griswold, Esq., who conveyed to him an invitation to visit the city of New York, signed by more than five thousand of the leading citizens of the great commercial metropolis, as well as from numerous other sources, letters came flying to him, with almost every post for months, bearing to him the most cordial approbation of his course. Never, perhaps, at any moment of his life, did he receive so many and so substantial proofs of the estimation in which he was held by the first men of the republic; and never, it may be, considering the abuse falling upon him from other quarters, did he ever rely so serenely on a quiet consciousness of having done his

duty, or with a firmer reliance on the final justice which he believed would ultimately be done him, than at the moment when he completed his career as a member of the American congress, and entered upon his duties, which he must have sometimes felt might not be of long continuance, as the first cabinet officer of Mr. Fillmore's administration. The great crisis, indeed, in respect to his reputation, had now passed. The country had had time to judge him, not by his 7th of March speech alone, but by a candid and full perusal of all his speeches, those of 1850, as well as all others relating to the same general subject. The scale of judgment was now turning in his favor; and he found himself, after his first general misunderstanding with his constituents, rapidly rising to his original position with them, with a fair prospect, not now to be disappointed, of reaching an eminence among them as much higher than he would have held, as his sacrifices for the harmony and prosperity of the country had been more than commonly misunderstood and misrepresented by them:

> "'Tis strange how many unimagined charges
> Can swarm upon a man, when once the lid
> Of the Pandora box of contumely
> Is opened o'er his head."

But, as the immortal dramatist has elsewhere said,

> "Sweet are the uses of adversity,
> Which, like a toad, ugly and venomous,
> Wears yet a precious jewel in his head."

And a poet of milder genius, but of deep experience, has added a concluding sentiment, which, in this case, may be regarded in the light of a prediction:

> "Heaven but tries our virtue by afflictions;
> As oft the cloud that wraps the present hour,
> Serves but to lighten all our future days."

On entering the second time the department of state, Mr. Webster had no great amount of labor to perform in looking up the condition of our relations to other countries. All these relations he understood as well as any other citizen of the country; and his predecessor had left no chronic difficulties, such as the secretary had found in the department when in office under Mr. Tyler, to embarrass him in the discharge of his regular duties. The controversy between New Mexico and Texas, in respect to boundary, which Mr. Webster had urged congress to settle by legislation, was still pending; and he had scarcely taken possession of his department, when his attention was called to a letter from the Hon. P. H. Bell, governor of Texas, to President Taylor, asking information in relation to the nature and limits of the military authority, which, by the advice and direction of General Taylor, had been extended over that part of New Mexico claimed by Texas. Had Mr. Webster's advice as a senator been followed, such a question could not have existed; but, it being now on hand, he addresses himself to it with his customary candor and ability. He takes the ground that the authority set up over New Mexico was military, because that province came into our possession by military conquest; that it would continue, of course, only so long as New Mexico should continue to be without a form of government authorized by congress; and that, until such a government should be established, the question of boundaries between the province and the state would remain unchanged, so far as anything done or to be done either by Texas or New Mexico could be supposed to affect the subject. The authority now exercised in New Mexico would be maintained; but in relation to the question of boundary, which was a question for congress to decide, the president had no duty and consequently no concern.

On the 30th of September, 1850, the Chevalier J. G. Hülsemann, chargé d'affaires of his majesty, the emperor of Austria,

addressed an official note to the secretary of state of the United States, remonstrating, in the name of his government, against the mission of Mr. Dudley Mann, who, at the time of the Hungarian revolution, had been despatched by the American president to proceed to Austria for the purpose of obtaining and remitting to Washington authentic and reliable information, from time to time, in relation to that interesting struggle. Mr. Mann had been so prudent in his movements, while residing and traveling in Austria, that the first intelligence of his having been there at all was received by the imperial government from a message of the American president to his congress. This fact alone should have been sufficient proof, even to Austria, as it must have been to all other governments, that nothing injurious had been done to the authority of the emperor in his dominions; but the object of that mission, the seeking of information with a view to an early recognition of Hungarian independence, especially when honestly avowed by Mr. Fillmore, roused the ire of the imperial Francis Joseph, who, like a youthful Hotspur as he was, demanded an immediate acknowledgment, on our part, with something like a guaranty of better behavior for the future. Not only was the topic of the note of the chargé ridiculous, but the style of it was almost silly; and the whole demand, both as to matter and manner, only excited the risibilities of Mr. Webster.

His answer has been ascribed, at least in the gossip of the day, to Mr. Everett; the newspapers, in fact, have published a claim as set up by that gentleman to the authorship of this performance; but, if there is not a plain mistake somewhere, there is certainly no sufficient proof of any such paternity, or of any just claim to it; while the fact of its having been for four years universally ascribed to Mr. Webster, and even lauded by Mr. Everett as one of Mr. Webster's most happy efforts, leaves no great reason to doubt upon this subject. Were it even true, that Mr. Webster was ill at the time the letter to Mr. Hülse-

mann was composed; that Mr. Everett may have been employed by Mr. Webster to write out a draft of it; and that that draft, in Mr. Everett's own hand, is still extant—all this would do but little toward confirming the authorship to Mr. Everett. Let it be granted, indeed, that the American secretary, sick at home, availed himself of the help of his distinguished friend; that he talked over the subject, as he was certainly able and would scarcely fail to do, item by item, with him; and that those items, thus matured, were then actually written down by him, to be afterwards revised and corrected, as is known to be the fact, by Mr. Webster. If all this service, and a great deal more, would transfer authorship from the original mind to an assistant, however distinguished that assistant might be himself for talents, the world would at once have to make out a new list of authors, which would dispossess the greatest geniuses of all times of the titles by which they have held their fame. Shakspeare, by such a canon, would cease to be Shakspeare; and, by the same rule, Paradise Lost would be set down as written, not by Milton, but by Milton's daughters. But there is no room even for such a supposition, nor for such an argument. "The correspondence with the Austrian chargé d'affaires," says Mr. Everett, in his brief but summary biography of Mr. Webster, "is the worthy complement, after an interval of a quarter of a century, to the profound discussion of international politics contained in the speech of January, 1824, on the revolution of Greece, and that of 1826, on the congress of Panama." This is Mr. Everett's eulogium on the letter; and he certainly could have uttered no higher one, as he well knew, than to compare it with either of the two illustrious speeches, which, for everything constituting masterpieces, have been but seldom equaled even by Mr. Webster; nor is it at all supposable, that such a citizen as Edward Everett, hitherto so disingenuous in all his conduct, at least so praised for every noble trait of character, would stoop so low

as to claim another man's work, or load with eulogy an effort of his own.

This reply to Hülsemann, therefore, whatever may have been the circumstances of its composition, must now go down to future generations, as the work, the undoubted work, in every respect really affecting authorship, of Mr. Webster; and it is undeniably, in every way, though not the ablest of his performances, a production worthy of his genius. It was at once greatly celebrated. Not only by the newspapers of the day, but by several historical and authentic publications, the American public had just been put in possession of very perfect information in respect to the origin, progress, and results of the Hungarian revolution; and, on the appearance of the secretary's answer, they were well prepared to understand its arguments and its allusions, whose point would otherwise have been lost upon them. His main position, that the emperor of Austria had no right to complain of this government for being friendly to struggles similar to that by which we had established the liberty and happiness of this country, was as conclusive as it was patriotic; and his retort, that the very complaint, founded on an avowal of the American president to his own congress, of an unjustifiable interference on our part with the internal affairs of a foreign government, was itself just such an act of improper interference, though obvious enough, was of a character to give infinite delight to the masses of our people; but when they read those passages, in which the secretary magnifies his native land, "in comparison with which the possessions of the house of Hapsburg are but as a *patch* on the earth's surface," which, consequently, could not dream of deterring "either the government or the people of the United States from exercising, at their own discretion, the rights belonging to them as an independent nation, and of forming and expressing their own opinions, freely and at all times," their enthusiasm overpassed all ordinary bounds. The whole communication, in

fact, though not to be compared with the secretary's letter to Lord Ashburton on impressment, and to several other of his productions, carried in it the elements of very great popularity, and rose immediately to an extraordinary celebrity, both in this country and in Europe. It was translated into the German language; and thousands of copies of it are said to have been surreptitiously circulated even in the Austrian dominions. In this country, it is really humiliating to add, this simple communication, to which Mr. Webster could have attached no great importance, which was the production of a playful moment, and which cost him not half the labor of thought bestowed on some individual pages of his acknowledged masterpieces, was seized upon by superficial people, prior to the succeeding presidential nomination, as a chief reason for making him the next president of the republic! An office which had not been gained by a long life of services the most illustrious, but which could be won or offered on terms so cheap and by merit so comparatively shallow, could scarcely be coveted by any high-minded man, and would certainly be beneath the dignity of such a citizen as Daniel Webster! A people, who could make the choice of their first magistrate rest on such a basis, on the writing of a letter, would be on a par with the nation that should suspend the same interest on the fortune of a battle, and, in either case, would not fail to meet the curse of being ruled by the most unworthy and inferior of their number!

For several years preceding these events, in consequence of the great extension of our country, the capitol at Washington had been felt by congress, and by all visitors, to be too small for the purposes of so great a nation; and, consequently, on the 30th of September, 1850, an act was passed by both houses, making provision for the enlargement of the edifice according to such plan as might receive the approval of the president. The work was to be undertaken and carried on under his direction; and, therefore, early in his administration,

Mr. Fillmore employed an architect, approved of a plan, and made every suitable preparation for commencing operations during the spring or summer of the following year. By the last of June, all things were ready for laying the corner-stone; but this pleasing ceremony was deferred that it might take place on the anniversary day of American independence, a day which could hardly receive a more suitable commemoration. The corner-stone of the original building had been laid by Washington on the 18th of September, 1793. He had been assisted by some of the most eminent men of that period; and, when Mr. Fillmore was to perform a similar duty, to make the occasion most memorable, he relied on the presence, and aid, and eloquence of Daniel Webster. After the ceremony of depositing the stone had been completed, Mr. Webster stood up before the vast assemblage, which was probably as large a body of people as had ever been seen in one place at Washington, and pronounced that oration, which, for appropriateness to the occasion, for sound political wisdom, for patriotic sentiment, and for all his characteristic felicity of expression, may well stand and go down to posterity as the last great performance of the first orator and statesman of his country. It will be read and admired while there is a country, a free country, an enlightened, patriotic, American republic, to admire anything worthy of admiration.

It was during this first year of Mr. Fillmore's administration, that the expedition of Lopez against Cuba came to so just and yet so sad a termination. Its ill success, however, did but little in suppressing the adventurous spirit that had inspired that movement. Cuba, if added to the Union, would not only soon constitute a southern and a slave-holding state, but it might be made, and doubtless would be made, the great slave-mart of all the other slave-holding states. The object of this expedition had been to revolutionize the island as the first step towards its annexation to this republic; and Lopez, a worthless

but bold adventurer, and a Spaniard, who held his life cheap, had been employed as the most fit person, considering his nationality and his fearlessness of character, to conduct it. He had been successful in alluring many thoughtless and equally worthless young men of this country, gathered from the corruptest portions of our great Atlantic cities, and in thus drawing together quite an army. His head-quarters, before embarking, had been made at New Orleans; but, on landing on the island, after a few slight successes, he had been cut to pieces by the troops of the colonial government. He was himself *garroted*, or strangled, according to an old Spanish custom; and he died with the firmness of a desperado. Fifty of his followers suffered a similar fate; and the remainder of his deluded band, except a few who were pardoned, were carried in chains to Spain to await the orders of the imperial government. This termination of things so disappointed their friends and sympathizers at home, that excessive feelings began to manifest themselves in several of our great cities, among the lower population; and, at New Orleans, the disappointment was so intense, that the rabble rushed upon the office of the Spanish consul, tore up or seriously insulted and mutilated the Spanish flag, and even fell upon the property and persons of peaceable Spanish citizens, committing outrages of a very unusual and heinous character.

In this condition of affairs, the Spanish minister at Washington, Don Calderon de la Barca, addressed a note to Mr. Webster, dated October 14th, 1851, complaining of these outrages, and demanding immediate reparation at the hands of the federal government. His demand was entirely just; and Mr. Webster sent him a reply, dated the 13th of November, cordially condemning, in the name of the American government, this ill-starred and wicked expedition, and promising every possible and constitutional satisfaction for the excesses at New Orleans, which the president had power to make. This move-

ment against Cuba, which was sought after for the immoral purposes before stated, could not fail to meet with the most settled and determined opposition of the secretary; and the president himself was equally resolved, shutting his eyes to all considerations of personal popularity, either at the south or north, to call into action the entire military force of the country, if necessary, to put down an enterprise so unjust in itself, so injurious to our fair name abroad, and so destructive of all sound political morality at home. There can be no doubt, in fact, that the country owes it to that high-minded administration, that the escutcheon of liberty was not at that time blotted with a crime, which would have dishonored and weakened us abroad, and covered the face of every worthy and well-meaning citizen with shame. It was a poor time, certainly, with Millard Fillmore as president, and with Daniel Webster in the chair of state, to undertake expeditions of attack and conquest upon the rightful possessions of our neighbors. Heaven grant that all future presidents, and all succeeding secretaries, may imitate the rectitude and justice of their example!

Immediately following this correspondence with the Spanish minister, Mr. Webster dispatched a letter to Mr. Barringer, our minister at the court of Madrid, soliciting in the most eloquent terms the release of those American prisoners, who had been captured in Cuba, and who were now under sentence of being sent to the Spanish mines. This letter is wholly characteristic of Mr. Webster. It opens with a true history of all the facts of the case, honorably stated in their full force, and closes with an appeal to the magnanimity, and clemency, and better judgment of the Spanish government, which could not fail to convince and move either a philanthropic or a prudent mind. The court of Madrid felt the force of this appeal; and, in a short time, Mr. Webster had the happiness to learn, that a hundred and sixty-two of his unfortunate but not blameless

countrymen had been restored to their families, if not to a proper life and conduct, entirely through his means.

Among the individuals captured and seized by the authorities of Cuba, was John S. Thrasher, a native-born citizen of the United States, who, many years before, had gone to the island in pursuit of business, and who had finally settled down as a citizen of Cuba, and taken the oath of allegiance to the Spanish crown. This person, while the movement against Cuba was in a state of preparation, had some connection, it is said, with the publication of a newspaper; and when the invaders were on the island, before and after their defeat and capture, he was accused of administering to their aid and comfort. It was pretty clear, in fact, at the time these events transpired, that Mr. Thrasher had chosen to leave his native country, for the purpose of making his residence within the limits and under the jurisdiction of another government; that, in order to obtain the full protection of the Spanish laws, without which his business could not have been so well or so profitably conducted, he had sworn fealty to the Spanish crown, promising to abide by and observe all the regulations of the country where he had voluntarily taken up his residence; but that, contrary to all good principle, he had broken his faith with the Spanish government, from the beginning of this adventure, by secretly sympathizing with it, and aiding its plans of conquest, as he could not have done without his legal and acknowledged character as a Spanish citizen. He had been caught in his malpractices, however, tried, condemned, and sent to Spain to spend eight years at hard labor. His friends at home delayed not, of course, to make application to the American government in his behalf; and, before there was time to search out the facts in the case, they very unjustly complained of the tardiness of Mr. Webster in not answering their demand more speedily. This complaint was permitted to find its way into the public prints; and all the democratic journals, or a

large number of them, immediately made battle on him as a slow if not dilatory officer. Mr. Webster was unmoved by all this uproar. He went directly forward, in his own way, in the faithful prosecution of what he supposed to be his duty. He dispatched two letters, one after the other, to the American consul at Havana; but no answers came to him, none, at least, in time to give him the needed information for prompt action. Mr. Thrasher himself, though filling the opposition newspapers with his communications, or with communications purporting to be his, sent not a word to the department of state at Washington. From other sources, however, Mr. Webster received proof enough, that Mr. Thrasher had been guilty of a breach of faith with the Cuban authorities; that he was consequently an unreliable, unsafe, and unworthy man; and that, should his release be obtained, he would be more than likely to run into the same or some similar trouble at the first opportunity. Under these circumstances, Mr. Webster could not be expected to be very warm or very hearty in his application to the Spanish court; and he chose to suffer some reproach for a time, rather than be found pleading with any excessive earnestness the cause of a man, who would be almost certain, as he thought, soon to need some one to plead in his behalf again. Here, as so frequently before, were the moderation and wisdom of Mr. Webster again seen. He chose to suffer rather than do wrong, trusting that, whatever might be the passion of the hour, the day of deliberative justice would at some time come. That day has now come. It is now here. That very individual, who was then published as "a most amiable and peaceable young man," who "never dreamed of having any connection with the invaders of Cuba," and who was "as far from raising a disturbance with other countries as the honorable secretary himself," is now, at this moment, while these lines are being penned, according to the public prints of the day, under arrest in the city of New Orleans for an effort to

repeat the offence for which he was at that time condemned. Mr. Webster's sagacity was never shallow; and his power of purpose was utterly resistless when he acted under a settled conviction that he was right. Happy for the memory of Mr. Webster that this last distinguished act, as an American statesman, was an act of mercy so performed as to be sanctioned and sustained by the strictest sense of justice. It was an act done under the blended influence of those cardinal attributes of every really great man, and of every really great nation, as they are of the character of the great God himself, into whose presence he who had thus acted was soon, too soon, alas! to enter.

Reader, as suddenly as is here indicated, it was announced in the public prints, about the 22d of September, 1852, that Daniel Webster was sick at Marshfield; and, from the condition of his general health since the first of May previous, it was at once seen that this sickness might possibly be his last. For about twenty years he had been subject to the attacks of an annual diarrhea, which began as an occasional looseness, but which finally became, three or four years before his death, persistent; and for nearly twenty years, also, he had suffered annually from a severe kind of catarrh, which ordinarily showed itself near the middle of August, and continued till October. In the month of July, 1851, he spent some time on his farm in Franklin, probably with the hope, that, by breathing his native air, the air he had breathed when young and vigorous, he might possibly escape his annual sickness, as he had done in 1839, while breathing the similar air of England. By a slight exposure on the damp ground, however, he not only precipitated his chronic troubles, but brought on an attack of gout. On the 9th of September he went to Boston and placed himself under the care of his family physician, Dr. Jeffries, who, before

the month was out, consented to his return to Washington. The following winter was the worst, in point of health, which Mr. Webster had ever known, though, as has just been seen, he performed his usual amount of labor. No one would imagine, while perusing his able and eloquent official letters on the Spanish question, that they were written by a man worn down with sickness, and confined to his house and room by a complication of several severe disorders, either one of which might prove him mortal. They are another proof, however, of the power of a great spirit over the feebleness of a tottering physical organization. Such a spirit will sometimes hold the body up; and this was the condition of Mr. Webster till the latter part of April, 1852, when he could hold out no longer. Leaving his vast business, as far as possible, in the hands of his clerks, he retired once more to Marshfield, either hopeless of recovery, or trusting to the skill of his physician, who had had a long and particular acquaintance with all the habits and tendencies of his system, both in disease and health. On the 6th of May, while making an excursion through the adjacent region, he was thrown from his carriage very suddenly and violently; his head came down with great force upon the ground, rendering him utterly insensible for some minutes; and it was found on examination, that he had injured the joints of both wrists, wounded his head outwardly near the right temple, and given a severe shock to his entire system. His arms, in particular, which had been instinctively thrown out to break his fall, were found to be greatly swollen and suffering from the worst form of ecchymosis, an alternation of red and livid spots; and he complained of sharp pains, not only that day, but for several successive days, through all his joints. The accident, indeed, was very serious, and greatly aggravated his old complaints; but by the 20th of May he had so far recovered, that he rode to Boston for the purpose of seeing his physician. It was during that visit, after consulting with Dr. Jeffries and Dr.

Mason Warren, that he was urged and prevailed upon to meet his fellow-citizens of Boston in some public place; and accordingly, on the 24th of May, though still suffering greatly from a combination of all his difficulties, which had prostrated his strength and broken down his spirits, he appeared in Faneuil Hall before an immense gathering of the people, among whom, arrayed on seats left vacant for them, were the members of the general conference of the Methodist Episcopal church, who happened to be holding their quadrennial session in the city. Mr. Webster evidently intended to make no exertion in his address on this occasion; a due regard to the state of his health, which was plainly uppermost in his mind, would not suffer him to speak with anything like his usual animation; his voice was so low and feeble, in the utterance of more than half his sentences, that it was nearly impossible for those not accustomed to listen to him to hear enough to keep up the thread of his observations; but, when read in the public prints that evening, the speech was found to be, though on no particular subject, a series of very beautiful remarks, congratulatory and conversational, tastefully adapted to the time and place, and expressed in that clear, correct, easy style so characteristic of all his minor efforts. It proved to be his last speech in that hall which his eloquence had made memorable over all civilized countries.

Having recovered so far as to admit of his return to Washington, he remained at his post of duty, though in great and growing feebleness of body, till the time of his public reception at Boston in July, a day of great triumph to him and to his abiding friends politically, but a day to have been avoided by a man so evidently approaching, unless exceedingly careful of his health, that final illness from which there is no recovery. To sustain him through the day of this reception, he was compelled to take medicine very freely, under the advice of Dr. Jeffries; and when that day was over, it was plain enough to

every practiced observer, that he would never be able to endure the turmoil and labors of another like it. Still, determined as ever to do his work, while he could stand or sit, he was again in Washington till the beginning of September, when he once more made a trip of recreation and health to Massachusetts. While passing through Baltimore, he took a cold, which greatly aggravated the disorder of his bowels, and deranged his general health materially and even fundamentally. On the 20th of September he drove from Marshfield to Boston again to consult Dr. Jeffries, who describes the appearance of his illustrious patient, at this time, in very decisive language: "It was then observed," says the physician, in an article published in the American Journal of the Medical Sciences, "that he had lost much flesh, which gave to his large eyes a somewhat unnatural appearance. His face was pale, with a peculiar sallowness; but there was no jaundice at this or any other time. He rose from the recumbent posture slowly and with some apparent difficulty; and he had the aspect of a very sick man. He stated that he had been more than usually unwell for a week or more; he complained of uneasiness on the left side of the abdomen, with consequent difficulty of lying on that side; there was sometimes a sense of tightness across the lower part of the abdomen. The bowels were still loose, but not quite so irritable; the appetite was wholly gone; the skin was commonly very dry; and there was a constant dryness of the tongue and fauces, with much thirst. The tongue was covered with a light brown coat; and the pulse was one hundred and six, quite full, but easily compressed, somewhat jerking, with four intermissions in a minute."

On the next day, the 21st of September, he returned to Marshfield, where he was to abstain from all mental labor, to avoid all bodily fatigue, to make his morning and evening meal of toasted bread and tea, to dine on a light portion of animal food with one vegetable, and to give up all his time to

rest and recreation. He went home, indeed, with a very clear idea of his critical condition. At the time of his visit to Dr. Jeffries, in the month of September of the previous year, he had worn that peculiar aspect of uneasiness so indicative of the mind's first doubt respecting the probability of recovery; and with that same restless cast of countenance, aggravated by the more serious and complicated troubles of the current season, he again entered his house hoping for the best, but fearful, plainly fearful, of the result that did actually follow.

There are two periods in the life of a thinking man, when, in respect to life and death, he experiences no uneasiness. The first is when he is in such a state of sound and vigorous health as not to allow of his dwelling, with any degree of fixedness and painfulness, on the termination of his existence; and the last is that brief period when life is given up, when the mind has settled down upon the certainty of the near approach of dissolution, and when hope is triumphant over the last enemy, or despair has given place to apathy. The middle period is the period of unrest, of anxiety, of real distress of mind. It is the period of uncertainty, of doubt, of suspense, when there is too much of illness to insure recovery, and too much of health to permit of yielding to death without a struggle. The arrow has touched the heart; but it is impossible to tell him how far it penetrates. To-day, it sticks deep, it touches upon the springs of life, and the soul (not without hope, indeed) shudders as it looks into the very face of death. To-morrow, the shaft is loose, it nearly jostles from its place, a slight touch will almost (but not quite, alas!) extract it and throw it off. Now, the arrow is deep again, not quite so deep, it may be deeper; it is very fast; but, if even so, it has been so before, and yet death did not follow. Now, another day, though sleep has intervened, though unconsciousness has intervened, though beautiful and pleasant dreams have intervened — dreams of youth, and health, and joyous friends, and many of the charming

scenes stored in the chambers of the mind—the mind now wakes to consciousness only to find that it was all a dream, that the arrow is there, that the shaft still trembles at the side, deeper it may be, perhaps not so deep, but the barb, the very barb, of the arrow is felt (possibly it is) in the very depths within. Such things may have been felt before by those who afterwards revived and lived. Possibly this may not have been the case. Who that lives can decide? Time must tell. Only time can tell. The days, the weary days, go on, bringing nothing but uncertainty, leaving nothing behind but doubt. With the possibility of death so near, however, how the mind does grapple at times with the great questions, which, until now, it has habitually sent forward to a future day; and then, the next moment, it does brush them all away again as the idle fancies of a sick man's brain:

"Uncertainty!
Fell demon of our fears! the human soul,
That can support despair, supports not thee!"

During this period of conflict, that restless, wandering and longing cast of countenance, before detected in the expression of Mr. Webster, still remained with him, after his return to Marshfield. Who will divulge his thoughts, while he lies upon that bed, or walks down into this library, where he is not allowed to study, or wanders about the halls or into the adjacent rooms, looking upon the pictured faces of the living and the dead, or gazes through the windows upon his fields, or ranges his eye along his familiar haunts down to the very shore of the great ocean, where he used to wander and to walk and muse when he was well? At evening, when the moon came pouring through the shutters, when all was still and quiet in his house, who will declare what were his reveries of the past, how he dwelt upon or forgot the present, with what sentiments, what certainty, what uncertainty, what thankfulness or regrets, what hopes or fears, what calm trust or faithful preparation, he

looked out upon that approaching future, that other future, where what is fixed is fixed forever? Afterwards, when the stars were out, the silent stars, that seem almost to think as they keep up the vigils of the night, who will publish and make it plain, whether he gave the precious hours to sleep, or spent them in thinking of the magnificence and perfection of the Creator's works, in contemplation of the wisdom and goodness of his providence, in drawing hope and comfort from the innumerable tokens of his love, and in looking through the thin vail of the material to the light and glory of the immaterial and eternal? No one can now inform the world in relation to these things. One thing only is certain. Mr. Webster had always been a thoughtful, prudent, far-seeing man, who never neglected the future for the present, but who ever inclined to make the present yield to the demands and necessities of the future; and he has left no room to doubt whether, long before this period of his life had come, he had not pondered often, and pondered deeply, on the eternal interests of man after he passes this mortal state. "One may live," he had said, in speaking of the decease of a dear and valued friend, Mr. Justice Story,—"one may live as a conqueror, a king, or a magistrate; but he must die as a man. The bed of death brings every man to his pure individuality; to the intense contemplation of that deepest and most solemn of all relations, the relation between the creature and his Creator. Here it is that fame and renown cannot assist us; that all external things must fail to aid us; that even friends, affection, and human love and devotedness, cannot succor us."

A superficial man may write such things without feeling them. A man like Daniel Webster could scarcely do it; and we may properly apply them now to his own case, and listen to him, as he continues to speak, in the language he had used on the death of another valued friend, of the experience of one like himself in the decline and near the termination of his

life: "Political eminence and professional fame fade away and die with all things earthly. Nothing of character is really permanent but virtue and personal worth. These remain. Whatever of excellence is wrought into the soul itself belongs to both worlds. Real goodness does not attach itself merely to this life; it points to another world. Political or professional reputation cannot last forever; but a conscience void of offence before God and man is an inheritance for eternity. *Religion*, therefore, is a necessary and indispensable element in any great human character. *There is no living without it.* Religion is the tie which connects man with his Creator, and holds him to his throne. If that tie be all sundered, all broken, he floats away, a worthless atom in the universe; its proper attractions all gone, its destiny thwarted, and its whole future nothing but darkness, desolation and death. A man with no sense of religious duty is he whom the Scriptures describe, in such terse but terrific language, as living 'without God in the world.' Such a man is out of his proper being, out of the circle of all his duties, out of the circle of all his happiness, and away, far, far away, from the purposes of his creation.

"A mind like Mr. Mason's"—Jeremiah Mason, of whom he was speaking—"active, thoughtful, penetrating, sedate, could not but meditate on the condition of man below, and feel its responsibilities. He could not look on this mighty system,

'This universal frame thus wondrous fair,'

without feeling that it was created and upheld by an Intelligence to which all other intelligences must be responsible. I am bound to say, that, in the course of my life, I never met with an individual, in any profession or condition in life, who always spoke, and always thought, with such awful reverence of the power and presence of God. No irreverence, no lightness, even no too familiar allusion to God and his attributes, ever escaped his lips. The very notion of a Supreme Being

was, with him, made up of awe and sublimity. It filled the whole of his great mind with the strongest emotions. A man like him, with all his proper sentiments and sensibilities alive in him, *must*, in this state of existence, have something to *believe* and *something to hope for;* or else, as life is advancing to its close and parting, all is heart-sinking and oppression. Depend upon it, whatever may be the mind of an old man, old age is only really happy, when, on feeling the enjoyments of this world pass away, it begins to lay a stronger hold on those of another."

While lying upon this bed of sickness, doubtful of the result before him, though giving his great thoughts mainly, without doubt, to the eternal and incomprehensible interests of the soul, Mr. Webster was by no means neglectful of the present, or of those high duties devolving upon him as the first cabinet officer of the republic. "Here, but a few weeks since," wrote Mr. Hillard, referring to this painful period, "Mr. Webster was accustomed to drive the transient guest over his estate, visiting his fields, his ocean shore, his flocks, and his herds; pointing out the prospect, and speaking with tender emotion of the sad and happy memories the varied views recalled; conversing with the rustic neighbors whom he chanced to meet, in kind and genial tones, and on subjects which he and they understood alike; uttering, from time to time, glorious thoughts, suggested by the scene, in language of massive beauty and grandeur, which made the moment memorable in the listener's life. But this has been in some measure interrupted. That noble form, that surpassing strength of constitution, has drooped under the protracted illness which has held him from the turmoil raging outside of that secluded spot; the drives over the hills, and along the loud-resounding sea, which he loved so much, have ceased. Solemn thoughts exclude from his mind the inferior topics of the fleeting hour; and the great and awful themes of the future, now seemingly open before him—themes to which

his mind has always and instinctively turned its profoundest meditations—now fill the hours won from the weary lassitude of illness, or from the public duties, which sickness and retirement cannot make him forget or neglect. The eloquent speculations of Cicero on the immortality of the soul, and the admirable arguments against the Epicurean philosophy, put into the mouth of one of the colloquists, in the book on the nature of the gods, share his thoughts with the sure testimony of the word of God. But no day passes that the affairs of the country do not occupy his attention. His great mind never applied itself with a calmer or more comprehensive grasp to the duties of his department. The intellectual power asserts its supremacy over physical weakness and tedious disease, with an unfaltering energy of soul, that, in itself, is a stronger argument of its immortality, than Cicero ever uttered in the majestic accents of the Latin tongue. These are the dignified pursuits that grace the days of suffering passed by the illustrious statesman of Marshfield. The respectful sympathies of the country surround him in his hours of illness; and the prayers of good men go up to heaven for his speedy restoration."

There is no doubt, indeed, that the nation felt a concern seldom experienced by a whole people for any citizen; there is no doubt that prayers, ardent prayers, went up daily and hourly to a merciful God, that the nation's favorite son might be spared to the nation a little longer; but, in the midst of all this solicitude, he continued gradually to decline, growing paler, thinner, weaker, with each day's revolution. "He was aware of his decline," says Mr. Ticknor, who has given the best account of his last sickness, "and watched it with careful observation; frequently giving intimations to those nearest to him, of the failure of his strength, which he noticed, and of the result which he apprehended must be approaching. Toward the end of September, he seemed, indeed, to rally a little; but it was soon apparent to others, no less than to himself, that, as the days

passed on, each brought with it some slight proof of a gradual decay in his bodily powers and resources.

"On Sunday evening, October 10th, he desired a friend who was sitting with him," continues Mr. Ticknor, "to read to him the passage in the ninth chapter of St. Mark's gospel, where the man brings his child to Jesus to be cured, and the Savior tells him, 'If thou canst believe; all things are possible to him that believeth; and straightway the father of the child cried out, with tears, Lord, I believe; help thou mine unbelief.' 'Now,' he continued, 'turn to the tenth chapter of St. John, and read from the verse where it is said, "Many of the Jews believed on him."' After this, he dictated a few lines, and directed them to be signed with his name, and dated, Sunday evening, October 10th, 1852. 'This,' he then added, 'is the inscription to be placed on my monument.' A few days later—on the 15th—he recurred to the same subject, and revised and corrected with his own hand, what he had earlier dictated, so as to make the whole read as follows:

'"LORD, I BELIEVE; HELP THOU
MINE UNBELIEF."

Philosophical
argument, especially
that drawn from the vastness of
the Universe, in comparison with the
apparent insignificance of this globe, has some-
times shaken my reason for the faith which is in me;
but my heart has always assured and reassured me that the
Gospel of Jesus Christ must be a Divine Reality. The
Sermon on the Mount cannot be a merely hu-
man production. This belief enters
into the very depths of my con-
science. The whole history
of man proves it.

'DANIEL WEBSTER.'"

Such a scene as this, such a record as this, will not fail to have its weight in behalf of the christian religion, not only with

all thinking men, but even with the comparatively thoughtless, as long as the scene is preserved in history, as long as the record shall stand uneffaced on his tomb-stone of granite, or on his monument of marble. Daniel Webster, the most intellectual man of recent history, the profoundest reasoner of modern times, near the end of his days, but while all his faculties were in their full vigor, and at a season of the utmost solemnity, gives his deliberate testimony to the truth and reality of religion; and yet, there are hundreds of superficial men, as shallow as he was deep, who, with not sense enough to have ascertained their want of mind, are ready, anywhere, to say that they look upon the Bible as a book of fables, and christianity as a long-plotted and well-fabricated lie. Had this been true, would not such a man as Daniel Webster have been likely, if any one, to detect it? Through his whole life, on the contrary, he never failed to give his whole testimony on the side of practical religion; and now, in the very face of death, he declares a belief in it, which, when the circumstances are all considered, renders it equal in weight to any testimony ever given by a man not inspired. "If I get well," said he to his friend, on the occasion of his first dictating this epitaph, "if I get well, and write a book on christianity, about which we have talked, we can attend more fully to this matter. But, if I should be taken away suddenly, I do not wish to leave any duty of this kind unperformed. I want to leave, somewhere, a declaration of my belief in christianity." Knowing, even in the humble hour of his last illness, that his final opinions upon this subject would not fail to have great authority among men, he hastens to give a formal utterance of that opinion, and orders this solemn declaration of his faith, instead of the events and now worthless honors of his life, to be inscribed where it would be read and respected as long as any regard should be paid to his memory, or any weight of authority should be carried in his name.

"Warned by his increasing debility," continues Mr. Ticknor, "he had already given some directions concerning a final disposition of his worldly affairs; but he now desired that his will might be immediately drawn up in legal form, and the next day, he dictated a considerable portion of it with great precision and a beautiful appropriateness of phraseology." Mr. Ticknor is undoubtedly correct in regard to the time, as well as the manner, in which the instrument was drawn up; but all the published copies of the will bear the date of the 21st of *September*, which, in this volume, has been changed to that of the 21st of *October*, which is indisputably the true date. Whenever made, however, that last will and testament of Daniel Webster is entirely characteristic of his great mind. He scarcely ever did anything like other men; and yet he affected novelty in nothing he performed. There was always in his position, or in the circumstances of the case where he was called to act, something new, something original, something that had never occurred before; and therefore, as in this instance, he was almost always called upon to do something in a way for which he had no precedent. This will is without a precedent: it is so perfectly original, and yet so beautifully adapted to his case, that it must ever be admired, as a model of its kind; nor could any life, however cursory, of the great statesman, be at all complete, unless it put into the possession of the reader, word for word, a document which, more than anything he ever produced in so small a compass, is the best exhibit of his worldly condition, and the most consummate image and emblem of his life, his intellect, and his heart:

"IN THE NAME OF ALMIGHTY GOD!

"I, DANIEL WEBSTER, of Marshfield, in the county of Plymouth, and commonwealth of Massachusetts, Esquire, being now confined to my house with a serious illness, which, considering

my time of life, is undoubtedly critical, but being nevertheless in the full possession of my mental faculties, do make and publish this, my last will and testament:

"I commit my soul into the hands of my Heavenly Father, trusting in his infinite goodness and mercy.

"I direct that my mortal remains be buried in the family vault at Marshfield, where monuments are already erected to my deceased children and their mother. Two places are marked for other monuments, of exactly the same size and form. One of these, in proper time, is for me, and perhaps I may leave an epitaph. The other is for Mrs. Webster. Her ancestors, and all her kindred, lie in a far distant city. My hope is, that after many years, she may come to my side, and join me and others whom God hath given me.

"I wish to be buried without the least show or ostentation, but in a manner respectful to my neighbors, whose kindness has contributed so much to the happiness of me and mine, and for whose prosperity I offer sincere prayers to God.

"Concerning my worldly estate, my will must be anomalous and out of the common form, on occount of the state of my affairs. I have two large real estates. By marriage settlement, Mrs. Webster is entitled to a life estate in each, and after her death, they belong to my heirs. On the Franklin estate, so far as I know, there is no incumbrance except Mrs. Webster's life estate. On Marshfield, Mr. Samuel Frothingham has an unpaid balance of a mortgage, now amounting to twenty-five hundred dollars. My great and leading wish is, to preserve Marshfield, if I can, in the blood and name of my own family. To this end, it must go in the first place to my son, Fletcher Webster, who is hereafter to be the immediate prop of my house, and the general representative of my name and character. I have the fullest confidence in his affection and good sense, and that he will heartily concur in anything that appears to be for the best.

"I do not see, under present circumstances of him and his family, how I can now make a definite provision for the future beyond his life; I propose, therefore, to put the property into the hands of trustees, to be disposed of by them, as exigencies may require.

"My affectionate wife, who has been to me a source of so much happiness, must be tenderly provided for. Care must be taken that she has some reasonable income. I make this will upon the faith of what has been said to me by friends, of means which will be found to carry out my reasonable wishes. It is best that Mrs. Webster's life interest in the two estates be purchased out. It must be seen what can be done with friends at Boston, and especially with the contributors to my life annuity. My son-in-law, Mr. Appleton, has generously requested me to pay little regard to his interests, or to those of his children, but I must do something, and enough to manifest my warm love and attachment to him and them. The property best to be spared for the purpose of buying out Mrs Webster's life interest under the marriage settlement, is Franklin, which is very valuable property, and which may be sold under prudent management, or mortgaged for a considerable sum.

"I have also a quantity of valuable land in Illinois, at Peru, which ought to be immediately seen after. Mr. Edward Curtis and Mr. Blatchford and Mr. Franklin Haven know all about my large debts, and they have undertaken to see at once whether those can be provided for, so that these purposes may probably be carried into effect.

"With these explanations, I now make the following provisions, namely:

"Item. I appoint my wife Caroline Le Roy Webster, my son Fletcher Webster, and R. M. Blatchford, Esquire, of New York, to be the executors of this will. I wish my said executors, and also the trustees hereinafter named, in all things

relating to finance and pecuniary matters, to consult with my valued friend, Franklin Haven; and in all things respecting Marshfield, with Charles Henry Thomas, always an intimate friend, and one whom I love for his own sake and that of his family; and in all things respecting Franklin, with that true man, John Taylor; and I wish them to consult in all matters of law, with my brethren and highly esteemed friends, Charles P. Curtis, and George T. Curtis.

"ITEM. I give and devise to James W. Paige and Franklin Haven, of Boston, and Edward Curtis, of New York, all my real estate in the towns of Marshfield, in the state of Massachusetts, and Franklin, in the state of New Hampshire, being the two estates above mentioned, to have and to hold the same to them and their heirs and assigns forever, upon the following *trusts*, namely:

"*First.* To mortgage, sell, or lease so much thereof as may be necessary to pay to my wife, Caroline Le Roy Webster, the estimated value of her life interest, heretofore secured to her thereon by marriage settlement, as is above recited, if she shall elect to receive that valuation in place of the security with which those estates now stand charged.

"*Secondly.* To pay to my said wife from the rents and profits and income of the said two estates, the further sum of five hundred dollars per annum during her natural life.

"*Thirdly.* To hold, manage, and carry on the said two estates, or so much thereof as may not be sold for the purposes aforesaid, for the use of my son, Fletcher Webster, during his natural life, and after his decease, to convey the same in fee to such of his male descendants as a majority of the said trustees may elect, they acting therein with my son's concurrence, if circumstances admit of his expressing his wishes, otherwise acting upon their own discretion; it being my desire that his son Ashburton Webster take one, and his son Daniel Webster, Jr., the other of the said estates.

"ITEM. I direct that my wife, Caroline Le Roy Webster, have, and I hereby give to her, the right during her life, to reside in my mansion house, at Marshfield, when she wishes to do so, with my son, in case he may reside there, or in his absence; and this I do, not doubting my son's affection for her or for me, but because it is due to her that she should receive this right from her husband.

"ITEM. I give and bequeath to the said James W. Paige, Franklin Haven, and Edward Curtis, all the books, plate, pictures, statuary, and furniture, and other personal property now in my mansion-house at Marshfield, except such articles as are hereinafter otherwise disposed of, in trust to preserve the same in the mansion-house for the use of my son, Fletcher Webster, during his life, and after his decease to make over and deliver the same to the person who will then become 'the owner of the estate of Marshfield,' it being my desire and intention that they remain attached to the house while it is occupied by any of my name and blood.

"ITEM. I give and bequeath to my said wife all my furniture which she brought with her on her marriage, and the silver plate purchased of Mr. Rush, for her own use.

"ITEM. I give, devise, and bequeath to my said executors all my other real and personal estate, except such as is hereafter described and otherwise disposed of, to be applied to the execution of the general purposes of this will, and to be sold and disposed of, or held and used at Marshfield, as they and the said trustees may find to be expedient.

"ITEM. I give and bequeath to my son, Fletcher Webster, all my law books, wherever situated, for his own use.

"ITEM. I give and bequeath to my son-in-law, Samuel A. Appleton, my California watch and chain, for his own use.

"ITEM. I give and bequeath to my granddaughter, Caroline Le Roy Appleton, the portrait of myself, by Healy, which

now hangs in the south-east parlor, at Marshfield, for her own use.

"ITEM. I give and bequeath to my grandson, Samuel A. Appleton, my gold snuff-box, with the head of General Washton, all my fishing tackle, and my Selden and Wilmot guns, for his own use.

"ITEM. I give and bequeath to my grandson, Daniel Webster Appleton, my Washigton medals, for his own use.

"ITEM. I give and bequeath to my granddaughter, Julia Webster Appleton, the clock presented to her grandmother by the late Hon. George Blake.

"ITEM. I appoint Edward Everett, George Ticknor, Cornelius Conway Felton, and George Ticknor Curtis, to be my literary executors; and I direct my son, Fletcher Webster, to seal up all my letters, manuscripts, and papers, and at a proper time to select those relating to my personal history, and my professional and public life, which in his judgment should be placed at their disposal, and to transfer the same to them, to be used by them in such manner as they may think fit. They may receive valuable aid from my friend, George J. Abbott, Esq., now of the state department.

"My servant, William Johnson, is a free man. I bought his freedom not long ago for six hundred dollars. No demand is to be made upon him for any portion of this sum, but so long as is agreeable, I hope he will remain with the family.

"ITEM. Morricha McCarty, Sarah Smith, and Ann Bean, colored persons, now also, and for a long time in my service, are all free. They are very well deserving, and whoever comes after me must be kind to them.

"ITEM. I request that my said executors and trustees be not required to give bonds for the performance of their respective duties under this will.

"In testimony whereof, I have hereunto set my hand and seal, at Marshfield, and have published and declared this to be

my last will and testament, on the twenty-first day of October in the year of our Lord, eighteen hundred and fifty-two.

"[Signed.] DANIEL WEBSTER."

After the will had been prepared, it was laid aide to be executed the next day; but, in the afternoon of the same day, Mr. Webster suffered from a new and alarming symptom, warning him to do quickly whatever was yet not done. A large quantity of blood issued suddenly from his stomach. Fixing an "intensely scrutinizing look" upon his attending physician, he asked, "What is *that?*" Being told that it came from the diseased part, "with the same piercing look," and with a change of accent, he repeated, "What *is* that?" That piercing look, however, had penetrated the mystery before the attending physician had time to answer. "*That* is the enemy," said Mr. Webster, "if you can conquer *that*"—but a recurrence of the symptom hindered him from saying what then might be his encouragement. As soon as he was again easy, he had his will brought before him. He would not execute it, however, till he had satisfied himself that its provisions were perfectly satisfactory to all who were interested in it, a prudent forethought scarcely ever exercised, but entirely characteristic of Mr. Webster. With all his knowledge of the troubles frequently entailed on families by wills, he was determined to entail no troubles on those he should leave behind him. Having thus disposed of his worldly estate, he folded his hands together and said, "I thank God for strength to perform a sensible act." He then gave himself up to prayer. "In a full voice," says Mr. Ticknor, "and with a most reverential manner, he went on and prayed aloud for some minutes, ending with the Lord's prayer and the ascription, 'And now unto God, the Father, Son, and Holy Ghost, be praise forever more. Peace on earth and good will towards men'—after which, clasping his hands together, as at first, he added

with great emphasis, '*That* is the happiness—the essence—*good will towards men.*"

He now requested all in the room to leave it, excepting Dr. Jeffries and a colored nurse, that he might obtain a little sleep. When alone with these two, he said to his physician, "Doctor, you look sober. You think I shall not be here in the morning, but I shall. *I shall greet the morning light.*" The next day, thinking that the doctor looked sad, he again said, "Cheer up, doctor—cheer up—I shall not die to-day. You will get me along *to-day.*" He continued through Friday very much in the same way, giving consolation to others, instead of manifesting any signs of his needing consolation or sympathy himself. There is no doubt, that, in his own mind, he had that consolation which no man can give or take away. "On the morning of the 23d," which was Saturday, "he announced himself," says Dr. Jeffries, "conscious of his situation, and said, '*I shall die to-night.*'"

The concluding scene was now rapidly approaching. Dr. J. M. Warren was sent for from Boston, as a relief to Dr. Jeffries, who had been constantly with Mr. Webster for more than a whole week; and Mr. Webster gave all the directions to the messenger, with every minute particular of the duty to be performed, as he would have done in perfect health. After enjoying another short season of repose, he had his wife, and son, and the other members of his family called in, with whom he conversed most tenderly and yet plainly on the great subjects of religion, assuring them, without a change of countenance, and without expressing any unusual emotion, that his end was near. Late in the day, having probably noticed some decided mark of progress in his disease, he again called in his friends to give them his final blessing. "After nightfall," says Mr. Ticknor, "he received at his bedside each member of his family and household, the friends gathered under his roof, and the servants, most of whom having been long in his service had become to

him as faithful and affectionate friends. It was a solemn and religious parting, in which, while all around him were overwhelmed with sorrow, he preserved his accustomed equanimity, speaking to each words of appropriate kindness and consolation which they will treasure hereafter among their most precious and life-long possessions."

Having performed all these duties to the living, and having without any doubt settled and fixed his relations satisfactorily with God, he now seemed to enter into the work of death, if these words can express the thought, as no other man has done of whom history gives any clear account. Socrates, when dying, conversed with his friends about immortality and the future life. Triumphant christians usually die with exclamations of joy over their consciousness of deliverance from an evil world and their immediate entrance into a felicity ineffable and eternal. Mr. Webster, as original in death as he had always been in life, after having closed up the past and provided for the future, appeared now to give himself exclusively to the experience of the present. He seemed to watch, with all his great powers of mind, each passing moment, and note each remove he made toward the final goal. A celebrated philosopher once held himself immersed in water, that he might learn the first sensations of a drowning man; and another, equally celebrated and equally curious, stood in a receiver while the air was gradually taken from it by an air-pump, because, for some philosophical reason, he wished to know the experience of one dying, or rather beginning to die, by a want of breath. These persons, however, expected not to die, but to be rescued at the proper time. They could, therefore, go coolly to their experiments. Here is a man, on the contrary, who desired to learn all the feelings of a person, not in a few of the first moments of a stoppage of vitality, but in the very act of dying, and through the whole gloomy process and progress of that act to the very last. He is making no experiment, no feint, soon

to be relinquished. Nor, like the classic poets, who, in imagination, had described the passage of the soul to the other world, was he throwing himself into any unreal state of fancy. All was real, actual, solemn fact. He was actually dying; and, as no one but a dying man can know how one dies, and as his first and last opportunity of obtaining this knowledge was then with him, he resolved to embrace that opportunity to the utmost. This remarkable resolution could have been taken with no view of communicating the results of it to his fellow-creatures. All he could expect from what he might thus learn of the soul's leave-taking of the body was, that the mind would carry its knowledge with it into the world he was about to enter. Of the millions of the human family who had died, perhaps no one had ever carried any perfect recognition of this final act into the future state; and it is possible that Mr. Webster may have conceived the original and sublime thought of being the bearer of this new knowledge into that pure, intellectual world of which he was so soon to become an inhabitant. It is more probable, however, even if such a conception may have flashed upon his mind, that the great motive of the act was simply his original, irrepressible, undecaying, and undying thirst for knowledge. It was his love of truth; and, certainly, as no man had ever given greater evidences of the strength of this ruling propensity in life, so no man ever gave to it so glorious an exhibition in the hour and article of death. "From the morning of Saturday," says Mr. Ticknor, "when he had announced to his attendant physician—what nobody, until that time, had intimated—that 'he should die that night,' the whole strength of his great faculties seemed to be directed to obtain for him a plain and clear perception of his onward passage to another world, and of his feelings and condition at the precise moment, when he should be entering its confines. Once, being faint, he asked if he were not *then* dying; and, on being answered that he was not, but that he was near to death,

he replied simply, '*well*,' as if the frank and exact reply were what he desired to receive. A little later, when his kind physician repeated to him that striking text of Scripture—'Yea, though I walk through the valley of the shadow of death, I will fear no evil, for thou art with me, thy rod and thy staff, they comfort me,' he seemed less satisfied, and said, 'Yes—but the *fact*—the *fact* I want,' desiring to know if he were to regard these words as an intimation that he was *already* within that dark valley. On another occasion, he inquired whether it were likely that he should again eject blood from his stomach before death, and, being told that it was improbable, he asked, 'Then *what* shall you do?' Being answered that he would be supported by stimulants, and rendered as easy as possible by the opiates that had suited him so well, he inquired at once if the stimulants should not be given *immediately*, anxious again to know if the hand of death were not *already* upon him. And, on being told that it would not be *then* given, he replied, '*When* you give it to me, I shall know that I may drop off at once.' Being satisfied on this point, and that he should, therefore, have a final warning, he said, a moment afterwards, 'I will, then, put myself in a position to obtain a little repose.' In this he was successful. He had intervals of rest to the last; but on rousing from them, he showed that he was still *intensely anxious* to preserve his consciousness, and to watch for the moment and act of his departure, so as to comprehend it. Awaking from one of these slumbers, late in the night, he asked distinctly if he were alive, and, on being assured that he was, and that his family was collected around his bed, he said, in a perfectly natural tone, as if assenting to what had been told him, because he himself perceived that it was true, '*I still live.*' These were his last coherent and intelligible words. At twenty-three minutes before three o'clock, without a struggle or a groan, all signs of life ceased to be visible, his vital organs giving way at last so slowly and gradually as to indicate—

what everything during his illness had already shown—that his intellectual and moral faculties still maintained an extraordinary mastery amidst the failing resources of his physical constitution."

Reader, thus lived and thus passed away from earth a man, who, for all time to come, is to hold his rank, not with those of his countrymen with whom he happened to be associated in life, but with the most illustrious men that have had an existence in the world. Centuries from this day, when not only the few that misunderstood but the many who appreciated and loved him shall be forgotten, his name is to stand in the list where such names as Moses and Lycurgus, Solon and Cicero, Burke and Bacon, Wilberforce and Washington, are recorded. Ages from this date, when the youth of this republic, if, happily, the republic he twice saved shall, find other saviors to preserve it, shall read the history of the first century of their country, next to that of George Washington, no name will be so well known, or hold so high a place, as the name of Daniel Webster. Ages and centuries hence, when future senates, again vexed by internal discords, shall seek to know how to maintain with national integrity the integrity of the nation, they will at once recur, as to a store-house of political wisdom, to the still surviving works of the first and ablest of this century's statesmen; and, in that far-off period, and through every succeeding period of our existence as a country, the students of a thousand liberal institutions, devoted to science, the arts, and the professions, will be as familiar with his master-pieces as the students of this generation are with those of the Greek, Roman, and British orators. Nay, more, as republics, like other governments, have their life and their decay, so when the union of these states shall have come to its natural dissolution, when

its history shall have receded so far back as to be reckoned with the present antiquities of the earth, then the Americans who shall stand upon this soil, as the modern Greeks now stand upon the soil of their great ancestors, shall look backward upon the few names which history or tradition shall have saved from the general wreck; and then, whatever names shall have gone to oblivion, never to be recovered, never to be recalled, never to be pronounced again, of whom there will be many now known to fame, among the few that do not die, and as immortal as any of the number, will the name of Daniel Webster stand, still recorded, still read, still revered, becoming more memorable and more imperishable with the lapse of time: "All of Agricola that gained our love, and raised our admiration, still subsists, and will ever subsist, preserved in the minds of men, the register of ages, and the lists of fame!"

Such having been the life of Daniel Webster, and such being the position he holds and is to hold in coming time, it is not expedient to close this record without looking back upon him, without casting some reflections on the singular character and import of his life, and without drawing such instructions from it as it is so capable of furnishing, and will not fail to furnish, to the more penetrating and thoughtful of mankind.

In entering upon such a review, it will be at once evident, that a single quality of mind, or a single trait of character, if developed largely and made very prominent, is generally sufficient to give to ordinary great men a title to their reputation, but that many qualities, and many traits, with every attribute of his being, in fact, have to be examined and accounted for, in making up the character of such an extraordinary man as Daniel Webster.

It will be remembered that Dr. Franklin, as the representative of his class of men, was considered great, and received great applause from his cotemporaries, for having the energy and the genius to overcome and rise above the obscurity and poverty

of his origin. In this respect, Daniel Webster was equally great, as is seen by a brief recapitulation of the successive periods of his life from youth to manhood. In the year 1782, he is born at Salisbury, on the banks of the Merrimac, and on the northern frontier of New Hampshire. His father, Ebenezer Webster, is the owner of a farm large enough, it might be imagined, to have made him and his family independent. But a thousand acres of wild, woody, rocky, and nearly barren territory, as is that portion of New Hampshire, is not enough to raise them above hard labor, and the want of what are since the most ordinary comforts. The household is very large and expensive. The father, the mother, and all the children, are working people, and toil hard in the heat and in the cold, to procure from their sterile acres their daily bread. The country is new, the republic is just beginning; and there are no such chances as have since existed to take advantage of changing circumstances and make sudden fortunes. From the day of his birth till he leaves his father's residence, the youthful Webster sees nothing around him, nor before him, but a partially reclaimed wilderness and constant labor. When he arrives at an age that fits him to begin to learn the rudiments of an education, the summer has to be spent in work, and the school is too distant, and the snows of winter too deep, to admit of his walking or going to it. His mother, a noble woman, is his only teacher. Standing by her knee, he acquires those first lessons, that ripen afterward into such various and deep knowledge. When older, and large enough to brave the horrors of a northern winter, a few weeks annually, during this inhospitable season, are all the time allowed him to cultivate his faculties. These are all the advantages he has for the acquisition of knowledge till about his fourteenth year, when his father, in consideration of the general feebleness of his son's health, and the promise of his mind, gives him a larger portion of his time for study. The moment he is released from manual labor, it is seen at once what is the spirit

of the youth, and what he is capable of performing. In a few short months from the time of his release, he is prepared for college. At the age of fifteen, he enters the Freshman class at Dartmouth; and from that hour till the day of his graduation, he is noted as the hardest student of the institution. By adhering exclusively to his books, and by refusing to spend his time in outward displays and public performances, he makes himself the deepest, though not the most showy, scholar of his class. The foundation being thus laid, when he goes out to take his part in active life, he is ready for anything that offers, and takes prosperity by the forelock, and success by storm. Being considerably in debt, and not too proud to work, he tramps on foot to the state of Maine, takes the academy of Fryeburg for a very small salary, but saves the whole of it by writing in the clerk's office to pay his board. Having thus paid off his debts, he commences the study of the law, getting his instruction where he can, sometimes studying by his father's fireside, sometimes in the office of Mr. Thompson, of his native place, and for a short time under the oversight of Christopher Gore, of Massachusetts. Soon after his admission to the bar, he removes to the city of Portsmouth, then the chief city of his state, and commences practice by the side of such men as Jeremiah Mason, whose fame is almost universal, but with a resolution to conquer a place and master his position, whatever or whoever may surround him. The work is soon done. For nine years, which are the years of his stay at Portsmouth, though a young man, he stands first at the bar of New Hampshire, and commands a willing or an unwilling deference from the oldest and ablest lawyers to the extent and depth of his legal learning, and to the matchless strength and compass of his mind. So entirely does he conquer his position, that, at the close of these nine years, when he becomes a candidate for a seat in congress, out of a constituency of several thousand, he easily obtains a very clear majority. In 1816 he removes to Boston, and, in the following year, makes his

celebrated plea on the Dartmouth College case, which is never to be forgotten in New England, and which carries him high above every other lawyer in that Athens of America, where there is to be found some of the best legal abilities in the world. In 1820, he is a member of the convention that revises the constitution of his adopted state; and his statesmanship is so conspicuous in this assembly, that the leading citizens of Boston at once make him their candidate for the senate of the United States. Replying that "he has had enough of public life," he declines the honor, and makes every exertion to procure it for another man. But the admiration and confidence of the people will not let him rest. In 1822, without his consent, and contrary to his wishes, they elect him to the house of representatives, where, in 1824, he makes his speech on the Greek revolution, which is pronounced in England to be the ablest and most eloquent since the days of Pitt. In the succeeding autumn, he is again put in nomination, and in a district of *five thousand* freemen, he receives *four thousand nine hundred and ninety votes.* Two years afterwards, the compliment of a renomination is again paid him, which is followed by similar results. Forced as he thus sees himself from the charms of private life, which no man ever desired or delighted in more than he, he finally yields to what seems to be his destiny, and gives himself up, on his election to the United States senate, in 1827, to the great work which his admiring countrymen have crowded upon his hands. As a senator, he serves his country for twelve consecutive years, leaving the senate-chamber at last, in 1840, at the call of President Harrison, who is unwilling to undertake the duties of his exalted and difficult office, without having the experience, the wisdom, the masterly abilities of Webster for his support. In 1845, he returns to his seat in the senate, which he holds till 1850, when, on the death of General Taylor, he is again summoned by President Fillmore to become the head of the cabinet, in which

high position he remains till death. During all these years, in every office which he holds, he is always and everywhere acknowledged as the first man. As a lawyer in New Hampshire, he is first; as a lawyer in Massachusetts, he is first; as a member of the Massachusetts constitutional convention, he is first; as a representative for seven years at Washington, he is first; as a senator, for seventeen years, at home and abroad, he is constantly recognized as first; as secretary of state, at two critical periods in the nation's history, he is emphatically first, not more than two of his predecessors having brought to the post anything like his abilities as a statesman, or as a man of mind. For twenty-five years of his public life, his judgment deliberately uttered on a point of litigation, or of legislation, is almost as good as law. The country more than once waits, and waits anxiously, for his opinion; and a single epistle, which falls extemporaneously from his pen, is known to pacify belligerent nations, and a speech to elevate in foreign lands the price of our public stocks. Whether in office, or out of office, he is always, during this quarter of a century in particular, the momentous, mighty spirit of his country, who, by the motion of his single intellect, frequently sways the nation, and always commands the notice of the world. If there is any greatness, therefore, to be attributed to Franklin, and to men of his class, because they have the energy to rise from humble circumstances, against many obstacles, to a high point of power and honor among their fellow men, then that greatness, whatever it is, and all that it is, is to be ascribed to Daniel Webster, who began in obscurity, but closed his career as the most powerful single individual, as an individual, of modern times.

In the earliest ages, the world resounded with the fame of Theseus, of Hercules, and of Samson; and in every period since, as well as in the present period, there has been, as there yet is, a sect of thinkers, whose fundamental maxim is, that the body is the basis of every style of greatness. They differ, it

is true, in the manner of their judgments. Some of them say that the power of a man's mind is always commensurate with the volume of his brain. Others, in addition to the size of this organ, make more or less allowance for the quality of its texture. Others, not so exclusive in their attention to the brain, attribute a great deal of consequence to the temperaments, to the form of the features, and to the general aspect of the person. With some, the eye is everything. To others, the mouth is the chief indicator of intellectual and moral qualities. A third class, attributing to the heart and lungs a great influence upon the action of the whole system, the nerves and brain included, assert that a capacious head on a narrow trunk is less likely to be distinguished by mental greatness, than a smaller head on a trunk well developed, and roomy enough to admit of the free play of large vital organs. All these, and others that might be mentioned, are but variations of the same general theory of man, which sets a very high value, if not the highest value, on the size, powers and possibilities of the body; and it is a pertinent fact, and worthy of record and recollection, that, for the last quarter of a century, every division and sub-division of this class of men, whatever have been their contradictions on other subjects, and whatever changes have taken place in their respective standards of judging of human characters, have unanimously and invariably settled upon Daniel Webster, as their common model. And certainly, whatever may be thought of their several theories, in this respect they have not mistaken. Seen where he might be, whether in the senate, or on the street, or in the largest gathering of the people, he was always the most magnificent specimen of a man, present. Others might be larger, higher, more muscular, but none in every way so striking and so perfect. Though not monstrous in size, he was of more than medium height, round and full in habit, perfectly erect, firm and strong in step, and entirely satisfactory to the most fastidious eye for the regularity, proportion and harmony

of his features. His movement was that of a superior being, unconscious, or thoughtless, of his superiority. When sitting in the presence of an assembly, where others of notoriety could be found disposing of themselves as if thoughtful of their appearance, and perhaps a little troubled about the impression that that appearance might be making for them, he sat with the most absolute unconcern, without a motion or a look to invite respect, or to draw attention. Well might he sit thus naturally and easily, for nature had so endowed him, that no effort of his own could have added anything to the grandeur of his presence. In such situations, as the people saw him but seldom, all eyes were always riveted upon him, whoever else might be present; and every one made him, as long as the occasion would admit, a study. All around, in every part of the most thronged audiences—and he never was permitted to see a small one—half-suppressed ejaculations could be heard—"what an eye!" "what a head!" "what a mouth!" "what a countenance!" "what a presence!" "what a man!" A philosopher would have much to study and to mark about him. He would see that the great man was most compactly built, as if his powerful mind had drawn and knit his frame together for the difficult purposes of a mighty life. There was no waste distance, by any needless length of person, between his head and heart, between his heart and hand, between the source and center of his life and the instruments that that life was to invigorate and employ. His head was not only one of the three largest, but the most regularly developed head of modern times. According to the measurements of Dr. Jeffries, made on the plan adopted or proposed by Dr. Morton, the circumference of the head was twenty-three inches and three-quarters, and the distance from the meatus of one ear, over the top of the head, to the meatus of the other, was fifteen inches. The longitudinal diameter of the head was seven and a half inches; the transverse diameter, five inches and three quarters; the

vertical diameter, five and a half inches, giving to its whole capacity, one hundred and twenty-two cubic inches, the average capacity of the Teutonic race being, according to Dr. Morton, ninety-two cubic inches. His was the largest head, rating by the cranial capacity, of which there has been made any record. His temperament, a mixture of the nervous and bilious, was just the one, which the most strenuous materialist would have selected, to give him the highest activity of his faculties, and the greatest power of endurance, to sustain him against the frame-shaking enginery and energy of his mind. Added to all his other traits, and as a final accomplishment of his person, Mr. Webster must be said to have been truly beautiful. It was not feminine beauty that every one beheld and noted in him. It was a manly beauty, the beauty of his sex. It was the beauty of a large, powerful, mighty being, whose proportions were magnificent, but still charming and attractive to the eye. It was that beauty that lies embodied in sublimity. It was the beauty of the ocean, when lying motionless, and clear, and deep, beneath the spectator's glance. It was the beauty of the overhanging sky, broad and boundless, which, serene and quiet as it may be to-day, carries within itself a vastness of power, that, to-morrow, may shake heaven and cause the earth to tremble to its poles. In every way, in every feature, in all his bearing, Daniel Webster was certainly a pattern, as if nature had designedly brought together into one, the perfections of many persons, that, after numerous disappointments, the world might at last have a model of a man.

In advancing higher, to take some account of Mr. Webster's mind, it is not enough to say, that the mind is the true standard of the man, or that his mind was without a parallel among living men. This has been said so often, and so long, that some more definite statement of the universally acknowledged fact is wanted. That he was, intellectually, far above and beyond any modern man, and perhaps equal to any that ever lived on

earth, has been constantly confessed, at home and abroad, for thirty years. But intellectual greatness is of several kinds. It is now a fit occasion to inquire what kind was possessed by him.

If, in answering this question, we follow the division of the intellect made by Bacon, into memory, imagination and reason, we shall be compelled, without doubt, after this protracted investigation of Mr. Webster's life and labors, to ascribe to him the three orders of greatness founded respectively upon the several departments of the understanding. He undoubtedly possessed that greatness based on memory, which, though the lowest order of intellectual greatness, has been alone sufficient to give to many a name a world-wide reputation. Not that he had a Mezzofantian memory, that devoured everything, good and bad, or the memory of the friend of Frederick the Great, who, on hearing a long poem read once, could repeat it instantly, without the variation of a syllable. Nor had he any of the tricks of memory after any system of mnemonics, by which he could recount a long and disconnected catalogue of names, by having it a single time read over to him. No memory of that sort had Mr. Webster. His memory was natural, and sound, and healthy. It was strong, retentive, ready and universal. It need not be said, for it would be no eulogy, that he remembered everything. What can be said of him is all that characterizes a really great memory. He always retained, and could use at any moment, and with the most perfect accuracy, whatever he had intended to lay up at any time of reading or of observation. His memory for words, for facts, and for ideas, was about equal. Thoughts that he had once had, seldom if ever escaped him; for, in all his speeches, which must be counted by the hundred, and which extended through a space of over forty years, he was remarkable for recollecting and pointing out—even when speaking without previous notice—what he had said on the same subject on all former oc-

casions. Events, whether those of history, or those coming within the range of his own experience, were always stated by him exactly as they occurred, and generally accompanied by all their attending circumstances; and more than once, when engaged in debate, and when a variance arose between him and his opponent in relation to a fact, his statement of it not only carried his hearers with him, but convinced his antagonist without farther examination or evidence, that his own recollection was at fault. It is a singular circumstance in the history of Mr. Webster, that an appeal is not known to have ever been taken from anything deliberately stated by him as a fact. His word, his memory, was always the end of controversy in a matter which he professed to know. In regard to language, or what is called verbal memory, he was yet more remarkable. His citations, as has been before said in the narrative of his life, have long been celebrated as being always the best that could have been made; and his quotations from the great masters, in the course of an argument, were invariably so fit, so pertinent, that the reader or hearer doubted, whether the passage or phrase in question had ever been before, or could ever be again, so aptly quoted. There was something so remarkable in him, in this respect, that it is difficult to state it with sufficient force. In every instance, it seemed as if his passages and phrases, ages before he wanted them, had been made to his order, and that he had laid them up in his early years, as if prescient of the precise use he would wish ever afterward to make of them. For thirty years, so noted was this trait, the world of critics have been watching him to see if they could not find him, at some careless moment, tripping. Two or three times, in the course of this long period, they have imagined that they had at last found a fault; but in every case, after mature examination, the critics have been forced to acknowledge that he was right. Near the close of life, indeed, when some professed to discover a decline of his great faculties, an instance of this

kind occurred. In the course of the brief and unambitious speech in Fanueil Hall, before mentioned, made on the 24th of May, 1852, he quoted two lines of poetry, which he ascribed to Dr. Johnson. Next day, the literary newspaper writers of Boston, opposed to him in politics, came out with flaming paragraphs, heralded by a sound of trumpets, that the great orator had certainly made one blunder; and, in proof of their assertion, they published large extracts from one of Dr. Goldsmith's pieces, in which the two lines evidently occur. The great culprit made no correction. Perhaps he did not read the strictures. In a few days, however, some deeper scholar had found the fact, which Mr. Webster had perhaps known from boyhood, that though Dr. Goldsmith did write the body of the poem, Dr. Johnson wrote the twelve last lines of it, and that it was this addition from which the orator had made, extemporaneously, but knowingly, his quotation. In literature itself, which had never been to him more than a recreation, he proved himself, not only once, but often, more accurate than those men, who made it their profession. In all matters of memory, indeed, he realized the strong language of the poet:

"His words were bonds, his oaths were oracles."

Of Mr. Webster's imagination, or his power to recall and combine past perceptions, and frame them together in new ways and according to new relations, nothing less can be said than that he had no living superior. Philosophy assures us that clearness and vividness of conception is at the same time the chief element, both of recollection and of imagination. The man who can look upon the past with so steady and bright and broad a vision as did Mr. Webster, must see plainly the natural and the possible resemblances and contradictions, as well as all other intelligible relations between objects. That Mr. Webster did see them, and profit by what he saw, every thing he ever did bears witness. No man ever beheld the

congruities, or the incongruities, of events, facts and ideas more accurately, or more happily. It is for this reason that he was about equally capable of both grave and ludicrous creations. In public, he was noted for his serious pictures, which were always the pictures of a master. In private, he is said to have indulged in the ludicrous, his wit being ready and exhaustless, and his descriptions rich, racy, and dramatic. He was the best story-teller of the whole country, and his performances in this way have been compared to the dialogues of Shakspeare. He could make a story, as well as tell one; and his ideal pictures of life, and particularly of the future life, were wonderfully striking and original. It was seldom that he publicly indulged in pure satire; but when he did, the man or the idea satirized was an object of sport or of contempt ever afterwards. When South Carolina, unsupported by a single other state, proposed to nullify the acts and authority of congress, Daniel Webster, in one of his inspired moments, advised her to go on and take the contemplated step. He told her, with a withering smile, to take from our flag her *one star and one stripe*, and set up a republic and be a country by herself! The step was never taken; for every one saw, from that moment, even South Carolina herself, how ridiculously the one star and one stripe would look? His figures were always thus pertinent and strong. They were arguments; and the arguments were conclusive. They were not such as Irving, or Addison, or even Shakspeare would have made, simply humorous, laughable and capable of a competition by other tongues. They were such as no other tongue, no other pen but his, has ever framed, or may ever frame again. The man nearest to him, and most like him in this respect, was Burke. Had he not been, indeed, so many things else, and particularly a statesman of such weighty cares, Mr. Webster might have been a poet; and his poetry would have been, not the eloquent volubility of Homer, nor the placid stateliness of Virgil, nor the minute philosophism of

Lucretius, nor the refined sentimentalism of Petrarch, nor the cold magniloquence of Corneille, nor the finical polish of Racine, nor the careful scholasticism of Gœthe, nor the sensuous warmth of Schiller, nor the feminine delicacy of Addison, nor the verbal opulence of Thomson, nor the shorn and shaven evenness and balanced accuracy of Pope, but something entirely his own, and still a poetry of the first grade. Judging from the imagery of his prose writings, and from what are known to have been the leading characteristics of his mind, it seems most probable that he would have combined the dramatic power of Shakspeare with the high sublimity of Dante, or of Milton. To their class, certainly, Mr. Webster, as a poet, would have belonged; and he was the only man of this century, or of the preceding centuries, that could have composed Hamlet, the Inferno, or Paradise Lost. He might, it is probable, have written either, had he given his days to literature, rather than to the state; for the breadth and power of his imagination, as well as the liveliness of his fancy, have been seldom equaled, and perhaps not once surpassed.

Ascending still higher in this investigation, to examine Mr. Webster's claims to greatness on the ground of reason, the third division of the intellect, according to Lord Bacon, less need be said, as all men have given him, in this respect, the preëminence above the greatest personages of modern times. Here, he stood entirely alone, unapproached and unapproachable. Whatever may have been said of him, in relation to other qualities, he never had an enemy, or a rival, possessed of any character as a critic, that ventured to deny him this superiority over other men. In pure argument, in clear, compact, solid reasoning, it is undeniable that he never looked upon his equal. Such was his penetration, that he saw the bottom of everything upon which he turned his eye. No arts could mystify, no sophistry could deceive him. A subject of debate might be covered up by an age of opposing precedents, or ob-

secured by the contrivances of his antagonists, or clouded by its own depth or distance, so that common minds, however honest, knew not what to think of it. When he cast his eye upon it, these precedents were nothing; his antagonists were nothing; the depth and distance of the idea were nothing. He brushed them all away; he went directly to the thought, whatever or wherever it might be; and he brought it up, entire and alone, exhibiting it clearly to every person's comprehension, exactly in its own proportions. Not only was he thus profound and strong, but he was broad and comprehensive. He not only saw his idea, and that distinctly separated from every other idea, similar and dissimilar, but he beheld all its relations to other ideas, near and remote, and seemed to realize, while employing or presenting it, every possible bearing it might have upon every possible idea, or interest, past, present, and future. If it may be said deferentially, and only with its own meaning, there was a sort of omnipresence in his genius, in his reasoning, of which every reader and every hearer was always strangely conscious. He had scarcely taken his seat for the first time in congress, before it became evident, that, if any one wished to oppose him, it must be by other means than argument. With whatever eloquence, either of diction or of delivery, he was at any time beset, it was but a playful effort for him to take up the speeches, paragraph by paragraph, take out of them all their rhetoric, and reduce them to their simple essence, and then perhaps annihilate that essence by a single stroke of his powerful and resistless logic. In the early part of his congressional career, a well known senator used to try his arts of metaphysical dialectics on him; but he soon found that finely-spun theories and delicately-drawn distinctions could not chain a giant. At the same period, another distinguished senator would occasionally attempt to mislead or neutralize him, by the employment of rich description, captivating imagery, a charming voice, and a passionate and very confident

style of oratory; but all these attempts were finally abandoned as thrown away upon a man, who, rising with the most perfect coolness, could always give the exact weight and worth of everything thus beautifully uttered, and then present his own views so cogently, and so clearly, as to make them stand out like living mathematical demonstrations. In all these efforts, however, he was always cautious not to do more than the case demanded, and never to inflict needless chagrin upon an opponent, as a weak man often does, by pressing too far a logical advantage. He seemed ever to be conscious, that, in these mental battles, he always had the advantage of mankind generally, and that deriving it as a gift of heaven, he was bound to treat his opponents with mercy. Only twice in his life-time did he appear at all to vary from this rule of action; and in both cases, the personal assaults made upon his private character, as well as the vital import to the country of a thorough victory, have always been looked upon as a sound apology. These were probably the only instances, also, where his whole mind was roused to do its utmost; and it is scarcely too much to say, that the chief existence which the two men have since had is the immortality arising to them from the sublime effort by which everything but a bare existence was taken from them. One of them fell at once into utter oblivion, so far as the nation is concerned; and the other, not only a man of talents, but supported by a combination of great power, on being plainly told, by one of his friends, that he and his party had been utterly annihilated by the great New-Englander, thought it a sufficient glory, as he said, that no living man could have dealt annihilation to him but Daniel Webster. Daniel Webster, however, could deal defeat to any opponent, in a conflict of pure argument, whom he was ever called to meet in public or in private life. His reasoning power, indeed, was almost as subtle as Aristotle's, quite as brilliant as Plato's, and as practical

as Lord Bacon's; and he might have been, perhaps, either one of those philosophers had he not been Daniel Webster.

Such, without doubt, is the universal opinion entertained of the mental capacities of the immortal statesman; but there is a higher order of greatness, which has been seldom mentioned, but which should be equally ascribed to him. It is that order of greatness founded upon the sensibilities. Mr. Webster was not simply a person of great physical perfection endowed with a powerful intellect. He was a man of feeling. His emotions alone, had they been alone, would have distinguished him as much as his memory, his imagination, or his reason. He was a man of keen, delicate, and lively sentiment. Like the pillars about a temple, his mind was a combination of strength with beauty. He was passionately fond of nature. He fixed his residence in a rural spot, surrounded by fields and forests, rocks and running water. His favorite room, which he used as a library and study, looked out upon the ocean, which he is said to have been accustomed to gaze upon by the hour together. He delighted in the successive changes of the seasons. The storms of winter and the flowers of spring gave him equal pleasure. In the heat of summer, as has been seen, he was wont to go out and sit upon the streamlet banks, or ramble through the shady woods, or wander upon the ocean beach, sometimes with his gun, but more generally with his fishing rod, all the time deeply musing, as if it were his only business in life to visit and enjoy the works of his Creator. He enjoyed himself much with children, and allowed them to take liberties with him, as a lion might enter into the sports of lambkins. He has been heard to say that a little child asleep was to him the most touching of all earthly objects. He loved beauty, serenity, and innocence; and he has been frequently observed returning to his mansion, after a morning's ramble, with his hands filled with flowers. One of the most beautiful of his compositions is a letter he wrote to a friend, in praise of the quiet and freshness of the

morning; and his Franklin letter, written while looking out of a window of the old Salisbury homestead upon the graves of his buried kindred, is as affecting as anything in the English language. His domestic affections were wonderfully strong. Nor is it to be forgotten, that always, in all his writings, wherever his father's name is mentioned, it is followed by a point of admiration; and he could never speak of his eldest brother, who died so suddenly, without being moved to tears. When he lost his children, his grief, though submissive, was sublime. It was like that of David. His neighbors, and his neighborhood, lived in his affections; and his love for New England, second only to his love for the whole country, has long been a passion. His love of his native land was always stronger in him than the love of life; and yet, such was the breadth of his feelings, as well as his breadth of view, that he was ever able to make the most ardent patriotism a part of that general benevolence which embraced the whole human family. A memorable instance of his kindness of heart was mentioned after his death, by Mr. Everett. That gentleman, when about to prepare the last edition of Mr. Webster's works, was permitted to follow his own taste without much restraint. Only one injunction was laid upon him. "My friend," said Mr. Webster, "I wish to perpetuate no feuds. I have lived a life of strenuous political warfare. I have sometimes, though rarely, and that in self-defense, been led to speak of others with severity. I beg you, where you can do it without wholly changing the character of the speech, and thus doing essential injustice to me, to obliterate every trace of personality of this kind. I should prefer not to leave a word that would give unnecessary pain to any honest man, however opposed to me." It was for this reason that his political enemies generally esteemed him. It was for this reason, so clearly seen in all his speeches and in all his acts, that he was our most successful diplomatist, because, while maintaining his regard for his own government, he had made himself the idol

of other nations. All men have celebrated Mr. Webster's intellectual greatness; but the world has yet to learn, what it will learn, when his whole character shall have been revealed, that his heart was even greater than his head. When we look upon his calling, upon the nature of his employments, upon the places he occupied, and upon the general behavior of our public characters, it must be acknowledged that that heart of his, always young, sensitive, tender, and full of benevolence to all the world, made him emphatically our most glorious man!

But there is still another order of greatness, which is to be ranked higher than all others, because it is that which gives life and character to them all. It is that order of greatness founded upon a powerful will. The will is the internal force that moves and controls the man. It is the man himself. It is that interior essence that calls everything else its own. A weak, hesitating, unresolving will, always leaves a man weak, hesitating, and unresolved. A strong will makes a man strong. It was his will that made Alexander the conqueror of the world. It was his will that made Hannibal great, both in victory and defeat. It was his will that gave to Cæsar, in spite of ten thousand discouragements, the command of his enemies and the empire of Rome. It was his will, his imperial will, that made Napoleon what he was. It was his will that put England into the power of Cromwell, when nothing but a strong will could stand. The laborer of Marseilles told Kossuth, that everything is possible to him that wills; but the loss of Hungary is to be attributed to the very fact, that the lesson had not been learned before. Had the great Magyar, the moment he had seen the first symptoms of treachery in Görgey, hurled him from his path, and rushed to the last conflict with the spirit of an unconquered and unconquerable man, the land he has so honored and so loved might now be free; but in this one point, with all the nobleness and grandeur of his soul, he failed. This is

not the first time, perhaps, that the imagination has been indulged, in supposing how Webster would have acted, in such a crisis, with such a traitor at his back. It will take no time to tell. He would have raised himself up to the highest and dreadest demand of the moment. An army of Görgeys would have been but a feather in his way. The first word of treason to his country would have been the death-warrant to any and every man. Storms might have arisen, but Webster, fully roused, would have beaten them back, or grasped them and held them motionless in his fist. Such has ever been his character. His will never saw a crisis greater than itself. When resolved, nothing on earth could ever move him, or shake him from his course. Acting, as it is believed he always did, from a sense of right and duty, after the most careful examination of a question, neither enemies nor friends could swerve him from his purpose. The west might threaten him and the east give signs of the withdrawal of its confidence and esteem; but he always went directly forward, turning neither to the right nor left. The south might burn against him, and the north might gather on him a coldness greater than its own; but, nothing daunted, he slackened not in the execution of his resolves. When the pro-slavery feeling of the southern states concentrates to nullify the authority of congress, and overthrow the federal government, he rises up in the majesty of his soul, stakes his reputation and his political fortunes on a single act, routs the enemies of his country forever from the field, and gives to us all a country, a government, at a cost which the services of a long life have not been able, as he knew they would not be able, to make good. When the anti-slavery spirit of the northern states, just in itself, but overlooking the authority of the constitution, assumes a hostile character, he rises again, turning his face against his own New England, against the dearest friends he ever had on earth, against what falsely and yet plausibly seems to have been the tenor of his whole life, and proves himself once more above all

flattery, above all threats, resolved to do his own duty, as he himself sees it, and to be supported only by the approval of his own conscience and the invincible might of his own great will. This, beyond all contradiction, after all that has been said of Webster, was his master trait; and, in this respect, the world has never seen a truer, a stronger, or a sublimer man.

These, according to the facts previously narrated, were the leading characteristics of the late and illustrious Daniel Webster; and it cannot be supposed that such a man, living in such an age as this, could have passed so long a life without doing something remarkable for his country. Without attempting to give a detailed account of his great services, not only to his native land, but to other lands, and to man in general, there are three important lessons, contained in his example, which cannot be omitted without doing his memory injustice.

In the first place, Webster has given us and given the world a great and useful lesson in the art of public speaking. He was our first orator. He was a genuine orator. He was the first American to discover, and to prove in his own person, that true oratory needs no tricks of rhetoric, no arts of declamation, no extravagance of voice and gesture, no rant, no bombast. He said what he felt, in simple, honest language, every word of which had its meaning; and this he demonstrated to be true eloquence. It was with this plain, straight-forward eloquence, that he swayed at his pleasure the masses of the people, whenever and wherever they went out to hear him. It was with this that he stood up before the most learned and fastidious audiences, teaching them that simplicity is the great element of power, even in literary discourses. It was with this that he appeared before the assembled talent of the nation, where every individual was an interested critic, and made an envious senate listen to him with admiration; and, in the course of his public

life, he made an impression on the senate, as an orator, as a teacher of true oratory, such as no other man ever made. Randolph might be more humorous, Preston more particular in gesture, Clay more flowery and passionate, and other senators more captivating to a superficial populace; but, while these orators seemed to be regarded as paragons by the people, they themselves looked upon Webster as their own model. Everything about his oratory was so easy, so natural, so simple, so direct, and yet so beautiful and powerful, that he may well be acknowledged as the orator of his country. The crowning excellence of his oratory was, that he always met the occasion that called him out—met it exactly, perfectly—but never tried to go beyond it. Truly beautiful and majestic in his person, his attitude was always dignified; his changes of position natural and easy; his gesticulation simple but extremely happy; his intonations clear, distinct, forcible, and sometimes remarkably deep and weighty, but never boisterous; his eye steady, piercing, and occasionally burning and flashing; his face varying in expression with every variation of thought and feeling, sometimes frowning as no other man could frown, then beaming with a smile that seemed like a gentle flash of lightning playing harmlessly over the uneven surface of a cloud, or like what the sacred writer describes as "the opening-up of the eye-lids of morning;" and, with all his dignity of manner, his mind was constantly pouring out a current of pure thought—thought now and then set on fire by genuine feeling—that went straight-forward to his great purpose, and as directly to the intelligence and heart of his rapt and admiring auditors. Such was his oratory; and the lesson he has taught us will hereafter be the species of eloquence sought after by our best public speakers, on every occasion, and handed down to future generations as that style which they will be proud to call American.

In the next place, Mr. Webster has given us a great lesson as a writer, furnishing us with a specimen of the best style of English composition. He was the ablest living writer in the language. He was as able, perhaps, as any man that ever wrote it. His writings will ever remain, not only as treasures of political wisdom, but as the highest standard of style on either side of the Atlantic. Addison, it is true, wrote more elaborately, and with a finer polish, but not so strongly, clearly, and effectively. Johnson attained a better flow of sentences, and a more perfect rising and falling of his periods; but his style is verbose and affected when compared with that of Webster. Robert Hall moved with a more steady impulse, and rolled more evenly along in the sustained grandeur of his composition; but he never went home to the ordinary apprehensions of his readers, nor bound them as firmly to his thought, as did Daniel Webster. On this side of the ocean, Irving writes as correctly and as beautifully, but not so powerfully; Prescott writes more picturesquely, but not so purely. Channing was equally pure, equally picturesque, equally dignified and simple, but not so thorough a master of the language. In most other American prose writers, whose reputations have become historical, with all their varied excellencies, are to be found, more or less frequently, positive blemishes of style. There were no blemishes of style in the elaborated and finished productions of Daniel Webster. The most subtle and determined critic might be safely challenged to point out a decided error of composition in all his published writings. His excellencies are such, on the contrary, as constitute the best style, for his class of subjects, of which the language is susceptible. Like his oratory, his composition is plain, natural, easy, straight-forward, strong, dignified, and sometimes very lofty. His diction is entirely English. He tricks out his sentences with no French flippancies, no borrowed phrases, no high-sounding epithets. As the classic Greeks would never write or know any other lan-

guage than the Greek, so he would write only English. His words are the commonest in the language. They are those that men use at home by their own firesides, when conversing with their children, and with their uneducated friends and neighbors. Shakspeare was the first of our bards to prove that the words of the household are the best words, when properly employed, for the highest styles of poetry. Mr. Webster has taught us the same truth in relation to prose composition. He uses but little ornament; but when he does draw a picture, it is one that, put on canvas, would do honor to a Raphael, or an Angelo. Everything about his composition is plain, strong, massive, and yet beautiful. Some of our other writers are more nice, more refined, more showy. He is simply correct, grand, powerful, ornamenting only when he cannot help it. They are like beautiful cottages, or villas, in a beautiful situation, where flowers and embellishments are among the most conspicuous objects. He, on the other hand, is a solitary temple, built up entirely of granite, according to the strictest laws of the simplest architectural order, so vast, so well proportioned, so perfect, that the eye never seeks for inferior decorations, but loses itself among those higher wonders, which satisfy all eyes, and which the mind sees are to be eternal.

The highest lesson, however, which Mr. Webster has given to his country, is that given in his capacity as a statesman. Mr. Webster was a statesman, and not a politician. This should ever be remembered. It was often said, during his life-time, that he was not so good a leader of a party as many others of inferior talent. He had too much talent, he was too broad a man, to be a party leader. He was conscious of his abilities, and of the demands which the whole country, instead of any party, had upon him. In every one of his measures, in every one of his votes, he acted for the country, not for any section of it, or for any one class of its citizens, and much less for any political organization. It is true, he always nominally belonged

to a certain party, but he was never governed by it, and he never tried to govern it. More than once, as has been seen, he has gone directly in opposition to his party, and it was well-known that he was always liable to do so, and would do so, if the party were not with him in its measures. As a party man, therefore, he was never entirely popular, while he was almost universally looked upon as our deepest, soundest, truest statesman. He was an American statesman. This also should be remembered. He has told us, and he often told the country, that, as a servant of the republic, he knew no east, no west, no north, no south, but was seeking the common good of a common people. He originated no new measures, or but very few, and was consequently regarded, by superficial men, as deficient in political abilities. He was not, in this sense, original, because he was original and alone in a much deeper and more important sense. In what sense, can be very briefly stated. Having settled it as a conviction, or a series of convictions, that the union of the states had been our sole reliance against European aggression and domination; that it was to be our sole reliance for the preservation of our liberties; that that union had been possible, and would be possible, only on the basis of our present constitution; that that constitution is a fortunate compromise of numerous contending interests, and of various sections, by which separate and entirely independent states were harmonized, and are held together for national purposes; that a breach of this federal contract, of this constitutional compromise, by the enactments of congress, or by the laws of the several states, or by failing to carry out, in good faith, its plain and positive provisions, would be the destruction of the contract, and a dissolution of that union, in which are embodied our harmony, our strength, and our very existence as a nation; having settled all these propositions, he could not do otherwise, as a good patriot, or as a wise statesman, than uphold and defend the constitution as he found

it. To do this, in the beginning of his career, he took upon himself as his peculiar mission. This is the key of all his measures, of all his votes, of all his speeches. This was his originality. He resolved to keep, and to carry out, the constitution. He asked not what party or what section of the country it was, that rose up against it. In any event, and in every case, he was its defender; and he was several times, in this capacity, its preserver. In looking on it as a whole, he knew it only as a social contract, made by competent parties, by the people of the whole country, never to be broken. In regarding it more minutely, and as a citizen of a particular part of the country, he saw as clearly as any other man ever did, that one section might complain, and with some plausibility, that another section had gained more by the partnership than it had; for this is the almost universal experience and habit of partners to an important and complicated connection; but all these complaints were nothing to Mr. Webster. He used to say, and say most truly, that no man, nor set of men, nor any party to a fair agreement, has the right to repudiate, or nullify, or disregard such agreement, merely because his neighbor, or neighbors, or the other parties, had made, as might afterwards be supposed, the better bargain. When a bargain is once made, he maintained, all that any party has to do, is to keep it; and this he supposed to be the duty of every state in the Union, and of every citizen of every state. This, at all hazards, he fixed upon as his own duty; and in the performance of it, he often risked all he had, and all he was, and all he may have ever hoped to be.

He saw, and saw clearly, that, if the constitution were not kept equally by all parties, a revolution would be the consequence, the states would be dissevered, and the flag of a once glorious Union would be torn to tatters. As a statesman, he was our flag-holder, and our flag-defender. Through his whole life, lately as well as formerly, whoever or whatever

opposed, or seemed to endanger, he held firmly to it with a giant's grasp; and, with a giant's hand, he smote down every man, and all men, friends or enemies, who rose up against it. In the darkest hours of our history, sometimes as unhurt as a granite pillar, at other times bleeding from the wounds given him by those for whom he had ventured everything, he stood firmly to it. That we have a flag to-day, a national flag, an American flag, furled as it was the day he died, or floating in peace and safety over a united and happy land, we owe, more than to any man since Washington, to Daniel Webster.

In the midst of the almost unbroken eulogy, however, which was poured upon him while living, there were always some, it cannot be denied, who, incapable of setting the true value upon such a man, were continually seeking out his faults, rather than profiting by his virtues. Mr. Webster had his faults. Would it be history, or eulogy, or flattery, to say of any mortal, that he had no faults? It has been said that Mr. Webster was ambitious. "He aspired to place and preferment," says Mr. Seward, "but not for the mere exercise of political power, and still less for pleasurable indulgences, and only for occasions to save and serve his country, and for the fame which such noble actions might bring." No generous man will censure such ambition.

It has been said that Mr. Webster was cold and arrogant. He was so only to his enemies. To his friends, he was as open and as bland as summer. To these, he was ever frank, cordial, and communicative. In his moments of relaxation, he was cheerful, and even joyous; and at the festive board, when surrounded by those he trusted and loved, he was frequently talkative and sometimes merry. It was on these festive occasions, indeed, and on these alone, that Mr. Webster sometimes, through carelessness, without doubt, transgressed the limits of moderation by which he governed, and intended at all times to govern, his dignified and generally well-ordered and noble

life. Born and bred at a period when the use of alcohol, in its various forms, was as common and as allowable as that of water, and possessed of a certain respect for the customs of his ancestors, and of the early days of the republic, he never laid aside the using of it; but that he was habitually, in ordinary life, accustomed so to use it as to disturb his faculties, or to have it manifest itself in his deportment, is a partisan, newspaper, shallow slander, which the American public, in justice to their greatest and best statesman, ought never to listen to without expressions of rebuke. History has nothing better for it than contempt.

If Mr. Webster had any graver faults, no proof of them has yet transpired, other than the mercenary reproaches of political partisans, or the irresponsible slanders of persons too low for punishment, or for notice, while he lived. That he was a good neighbor, a kind father, and a faithful husband, there is not the shadow of a doubt. A hireling press could accuse him of habits of very great immorality. So it might have accused him of theft, of burglary, of highway robbery, as well. It was forgotten by those superficial writers, that a life such as they pretend requires a great expenditure of time; and no sagacious man needs any better evidence of the utter recklessness and wickedness of such suppositions, than the monuments of his labor which Mr. Webster has left behind him. He had no time for anything but his work. Let any one consider that, either his literary performances, his legal arguments, his congressional speeches, or his popular addresses, would have, separately, required as great an amount of mental toil, as any ordinary man, in a whole life-time, can do; but, when all these together, compared with his studies, and with the public business transacted by him, in the midst of private business that included the management of two large estates, are seen to be only a portion of that incessant, life-long, and laborious occupation of his mind, it is plain enough that he had time only to be, as he

most truly was, a good, a correct, a straight-forward and virtuous man.

There is another great fact, equally certain, and equally decisive, in the final summing up of Mr. Webster's life and character. Whatever opinions may have obtained of him in other countries, or in distant parts of his own country, his reputation stood higher as one approached his home, and fairest among his neighbors, who saw him the most frequently and knew him best. The parish minister of Marshfield, who had known him well, spoke of him, on the day of his burial, in the warmest terms of eulogy, not only as a moral, but even as a religious man. Religion is a thing, however, that pertains not to a man's outward or public life, but to the inward and unobserved experience of the soul. While a man's faults are open, his virtues, his faith, his religious life, are that part of him which are entirely unseen. A man's transgressions, or omissions, may be, and generally are, noted and remembered; the worst portion of him is thus put on record; but that interior existence, which consists of regrets, of repentance, of struggles against ill influences, of noble efforts after duty, of high and holy aspirations toward a spotless purity of life, is a reality which cannot be set up for exhibition, nor obtruded on the attention of the world. It was this better part, this interior life of Mr. Webster, that was comparatively concealed till it found a revelation over his last remains. Then it came to light. Then a widowed and heart-stricken wife could utter it; the family connections could speak it; the neighbors and friends and associates could declare it; then the pulpit and the press could unite to give it voice.

It now seems, indeed, when party and personal prejudices have generally been abandoned, except by those who would have joined with the Jews in pronouncing John a madman, and Jesus a wine-bibber and a glutton, that Webster had many of the traits of a christian character; that he was an ardent ad-

mirer of the bible; that he read it regularly every day; that he maintained devotional exercises in his family; that he himself, on such occasions, read the scriptures and led in prayer; that his doctrinal views, though broad and liberal, were according to the best standards of religious faith; that his views of the Almighty, and of his own relations to him, were exceedingly elevated and consistent; that, for some time before his death, he had been meditating and preparing for a work on the internal evidences of religion; that he had made all his plans to close up with the termination of the existing administration, his political career, and spend the remainder of his days at Marshfield, in the quiet of his home, in religious meditations and literary studies; that, on the bed of death, when the applause of the world had become nothing to him, and he saw himself in the very presence of his Judge, he could say, and did say, that in all his life, he had generally endeavored to do his Maker's will; that, in a word, in religious opinion and character, he was what was to have been expected of a mind so sound, so deep, so clear, so comprehensive, so sublimely great, and yet, so occupied with the welfare of a nation, which he had always made the first and the last great burden of his heart. The only regret is, that a man so full of light did not let it shine in every place and in every thing he did; and yet, this regret must be tempered by the grateful acknowledgement that, in all his life, Mr. Webster showed himself to be a friend to christianity, his speeches being characterized by an unvarying respect for the christian faith. Not once was he known to utter a word disrespectful to practical religion; and more than once he has stood up in its defense, before the country, and before a gainsaying world, which, however it might mock inferior advocates, dared not to sneer at him. In these ways, through a long and glorious career, though simply a statesman, his light did shine; and some of his defenses of christianity will be read and ad-

mired and quoted, in the pulpits of all christendom, as long as christianity itself has an admirer, or a friend.

But it is customary, even among christian people, to withhold final judgment of a man's christian character, till it is seen how he makes his death. The manner of a man's death often works a change, sometimes a revolution, in public opinion, respecting the nature of his life; and, judging Mr. Webster according to this standard, it must be confessed that the majesty of his departure disappointed all but his nearest and most familiar friends. The way in which he died was morally sublime. The death-scene, surpassing in moral grandeur all the scenes in his great and eventful history, and corroborating all the encomiums upon his private character, excites our wonder, as if it were the close of a divine's, a martyr's, rather than a statesman's life. He died as if it had been his chief occupation to prepare for death. He receives the announcement of his near decease without a regret, without a change of countenance. He calls his family about him, and gives to each such words as dying christians give to the dear ones they leave behind them. He calls his friends, talks with them better than the dying Socrates talked with his, speaking of his death with the utmost tranquillity. He calls his particular friend, and shows, in such language as will be immortal, that his great heart was still rich in friendly feeling, as it had ever been full of every noble sentiment. Having thus finished his earthly business, he turns his thoughts to higher and holier things. He devotes his last hours to prayer; and when those hours are over, he closes his eyes to take that sleep, which, as might justly be supposed by the sorrowful spectators, is to be unbroken till the morning of the resurrection!

But he is not dead! Opening his eye-lids once more, and recovering his consciousness again, he utters those last and most memorable words, which, it would seem, are given him to utter, as if God, not willing that he should depart without a eulogy,

and knowing but one man able to pronóunce a fitting one, has called that one man back, after he has reached the borders of the eternal world, to return and pronounce it upon himself. His great spirit, obedient to the summons, and turning to the scenes of time once more, exclaims, "*I still live!*" and then takes its final departure to a higher and a better sphere. This is Webstér's eulogy; and it shall be his epitaph. It shall be cut into the granite rock that is to stand up, at the bidding of his country, to perpetuate his memory; and it shall be as true of him after the lapse of ages, when the rock itself shall have disintegrated and gone no ashes, as it is to-day.

That noble form, that glorious man, whose presence in the world had come to be almost a part of it, has gone forever from us, as if we had fallen upon a night from which the most brilliant constellation of the heavens had forever withdrawn its beams. He has gone; he is dead; he who was the foremost man among us, the first American of his generation, whose mind has so long been the guide and guardian of a great country, now sleeps beneath the sod. While living, but thoughtful of his latter end, he selected and prepared his own resting-place; and his friends and weeping neighbors have laid him in it. How fitting is that place! Great in life, great in death, he is greatly fortunate in having found a spot so entirely in harmony with his greatness. On his native soil, in his own New England, which his lips had immortalized, near the home and the scenes he loved so well, and not far from the shore of the ever-resounding sea, they have laid him down to rest, where his countrymen can visit him amid the scenes where he used to dwell. Nowhere else in the wide world could he have found a more suitable place of burial. Buried within the limits of a city, the city might have crumbled away, as all cities must, and left him lost amidst the heaps of deserted rubbish. Buried near the capitol, where his greatness had been most conspicuous, in the revolving fortunes of such a country as this the cap-

itol itself might be taken down and removed, leaving his glorious dust in neglect and solitude. Laid upon the bank of his native river, where his forefathers sleep—rivers themselves, in the progress of civilization, have changed their courses, or have been dried up within their rocky bed. Nowhere, nowhere could the great man have been laid to rest in a place so consonant to his character. There, within sight of his cherished home, and on the ocean shore, he lies. That home will guard him well; and that ocean, the best earthly emblem of his greatness, and image of the eternity of his fame, will roll along his requiem, when many a river shall have ceased to flow, and when cities and capitols shall have mingled their ashes with the dust of earth!

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